

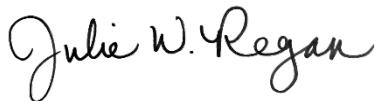
TAHOE REGIONAL PLANNING AGENCY (TRPA)
TAHOE METROPOLITAN PLANNING AGENCY
(TMPO)AND TRPA COMMITTEE MEETINGS

NOTICE IS HEREBY GIVEN that on **Wednesday, June 28, 2023**, commencing **no earlier than 9:00 a.m.**, at the **Tahoe Regional Planning Agency, 128 Market Street, Stateline, NV**, the **Governing Board** of the Tahoe Regional Planning Agency will conduct its **regular business meeting**.

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

To participate in any TRPA Governing Board or Committee meetings please go to the Calendar on the <https://www.trpa.gov/> homepage and select the link for the current meeting. Members of the public may also choose to listen to the meeting by dialing the phone number and access code posted on our website. For information on how to participate by phone, please see page 3 of this Agenda.

NOTICE IS FURTHER GIVEN that on **Wednesday, June 28, 2023**, commencing **8:15 a.m.**, at the **Tahoe Regional Planning Agency**, the **TRPA Operations & Governance Committee** will meet. The agenda will be as follows: **1)** Approval of Agenda; **2)** May 24, 2023 Minutes will be in the July 26, 2023 Packet); **3)** Recommend approval of May Financials (action); **(Page 41) 4)** Recommend approval for Release of City of South Lake Tahoe O&M Mitigation Funds (\$25,000) for the League to Save Lake Tahoe Microplastics Beach Clean Up Project (action) **(Page 59) 5)** Briefing on Fiscal Year 2023/2024 Annual Budget; **6)** Recommend approval to Delegate authority to Executive Director to enter into contracts prior to approving the Fiscal Year 2024 TRPA budget (action); **(Page 65) 7)** Upcoming Topics; **8)** Committee Member Comments; Chair – Aldean, Vice Chair – Laine, Aguilar, Diss, Hoenigman; **9)** Public Interest Comments



Julie W. Regan,
Executive Director

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

TAHOE REGIONAL PLANNING AGENCY	
GOVERNING BOARD	
Tahoe Regional Planning Agency	June 28, 2023
128 Market Street, Stateline, NV	No earlier than 9:00 a.m.

All items on this agenda are action items unless otherwise noted. Items on the agenda, unless designated for a specific time, may not necessarily be considered in the order in which they appear and may, for good cause, be continued until a later date.

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

TRPA will make reasonable efforts to assist and accommodate physically handicapped persons that wish to attend the meeting. Please contact Marja Ambler at (775) 589-5287 if you would like to attend the meeting and are in need of assistance. The Governing Board agenda and staff reports will be posted at <https://www.trpa.gov/governing-board-documents-june-28-2023/> no later than 7 days prior to the meeting date. Any member of the public with questions prior to the meeting may contact Marja Ambler, mambler@trpa.gov or call (775) 589-5287. On meeting day please contact TRPA admin staff at virtualmeetinghelp@trpa.gov or call (775) 588-4547.

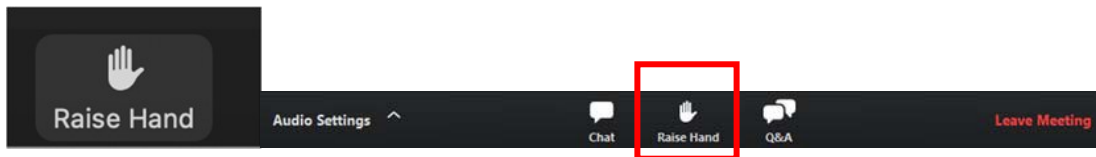
Zoom Webinar - Public Participation

To Participate Online:

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



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



To Participate on the phone:

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

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

Additional Resources from Zoom:

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

AGENDA

- I. CALL TO ORDER AND DETERMINATION OF QUORUM
- II. PLEDGE OF ALLEGIANCE
- III. APPROVAL OF AGENDA
- IV. APPROVAL OF MINUTES **Page 7**
- V. TRPA CONSENT CALENDAR (see Consent Calendar agenda below for specific items)
- VI. PUBLIC HEARINGS
 - A. Tahoe Transportation District/Washoe County School District Temporary Use: Approval of Six-Month Extension 771 Southwood Boulevard and 915 Northwood Boulevard Incline Village, Washoe County, Nevada Assessor’s Parcel Numbers 132-201-02 and 132-012-05, TRPA File Number ERSP2021-0673 **Possible Action** **Page 71**
 - B. Amendments to Washoe County’s Tahoe Area Plan to Allow Single Family Condominium Uses in Special Area 1 of the Incline Village Commercial Regulatory Zone **Possible Action** **Page 85**
- VII. REPORTS
 - A. Executive Director Status Report **Informational Only**
 - 1) Tahoe In Brief – Governing Board Monthly Report **Informational Only** **Page 191**
 - B. General Counsel Status Report **Informational Only**
- VIII. GOVERNING BOARD MEMBER REPORTS
- IX. COMMITTEE REPORTS
 - A. Local Government & Housing Committee **Report**
 - B. Legal Committee **Report**
 - C. Operations & Governance Committee **Report**
 - D. Environmental Improvement, Transportation, & Public Outreach Committee **Report**
 - E. Forest Health and Wildfire Committee **Report**
 - F. Regional Plan Implementation Committee **Report**

X. PUBLIC INTEREST COMMENTS

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

XI. ADJOURNMENT

TRPA CONSENT CALENDAR

<u>Item</u>	<u>Action Requested</u>
1. May Financials	Action/Approval <u>Page 41</u>
2. Release of City of South Lake Tahoe O&M Mitigation Funds (\$25,000) for the League to Save Lake Tahoe Microplastics Beach Clean Up Project	Action/Approval <u>Page 59</u>
3. Delegate authority to Executive Director to enter into contracts prior to approving the Fiscal Year 2024 TRPA budget	Action/Approval <u>Page 65</u>
4. Appointment of a second Vice Chair for the June 28, 2023, Governing Board meeting	Action/Approval <u>Page 67</u>
5. Appointment of a TRPA Governing Board Delegate to the California Association of Council of Governments (CALCOG) Board of Directors	Action/Approval <u>Page 69</u>

The consent calendar items are expected to be routine and non-controversial. They will be acted upon by the Board at one time without discussion. The special use determinations will be removed from the calendar at the request of any member of the public and taken up separately. If any Board member or noticed affected property owner requests that an item be removed from the calendar, it will be taken up separately in the appropriate agenda category. Four of the members of the governing body from each State constitute a quorum for the transaction of the business of the agency. The voting procedure shall be as follows: (1) For adopting, amending or repealing environmental threshold carrying capacities, the regional plan, and ordinances, rules and regulations, and for granting variances from the ordinances, rules and regulations, the vote of at least four of the members of each State agreeing with the vote of at least four members of the other State shall be required to take action. If there is no vote of at least four of the members from one State agreeing with the vote of at least four of the members of the other State on the actions specified in this paragraph, an action of rejection shall be deemed to have been taken. (2) For approving a project, the affirmative vote of at least five members from the State in which the project is located and the affirmative vote of at least nine members of the governing body are required. If at least five members of the governing body from the State in which the project is located and at least nine members of the entire governing body do not vote in favor of the project, upon a motion for approval, an action of rejection shall be deemed to have been taken. A decision by the agency to approve a project shall be supported by a statement of findings, adopted by the agency, which indicates that the project complies with the regional plan and with applicable ordinances, rules and regulations of the agency. (3) For routine business and for

directing the agency's staff on litigation and enforcement actions, at least eight members of the governing body must agree to take action. If at least eight votes in favor of such action are not cast, an action of rejection shall be deemed to have been taken.

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

TAHOE REGIONAL PLANNING
GOVERNING BOARD

TRPA/Zoom

May 24, 2023

Meeting Minutes

I. CALL TO ORDER AND DETERMINATION OF QUORUM

Chair Ms. Gustafson called the meeting to order at 12:23 p.m.

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

Members absent: Mr. Rice

II. PLEDGE OF ALLEGIANCE

Ms. Williamson led the Pledge of Allegiance.

III. APPROVAL OF AGENDA

Ms. Regan said Consent Calendar Item No. 2 for the Release of Placer County Water Quality (WQ) Mitigation Funds (\$500,000.00), for the Kings Beach Water Quality Improvement Project that is being removed from the Consent Calendar will be heard after Agenda Item No. VI.A, Lake Spirit Awards.

Ms. Gustafson deemed the agenda approved as amended.

IV. APPROVAL OF MINUTES

Ms. Aldean moved approval of the April 26-27, 2023, as presented.

Motion carried.

V. TRPA CONSENT CALENDAR

1. April Financials
2. Release of Placer County Water Quality (WQ) Mitigation Funds (\$500,000.00), for the Kings Beach Water Quality Improvement Project
3. Zacko Enterprises, LLC, Leah & Patrick Higgins; Pier Expansion with Boatlift Addition & Multiple Parcel Pier Designation; TRPA File # ERSP2022-1117; Project Location: 6160 & 6190 W. Lake Blvd., Homewood, CA; APNs 098-031-006, 098-032-014, 098-031-005, 098-032-013
4. APC Membership appointments for the Tahoe Basin Fire Chiefs primary representative, Chad Stephen, and primary alternate, Scott Lindgren and secondary alternate, Jim Drennan

Ms. Gustafson said there are four items on the Consent Calendar, item one was reviewed by the Operations and Governance Committee and three and four were not reviewed by any committee. Item number two was removed from the Consent Calendar and will be discussed after the Lake Spirit Awards agenda item.

Ms. Aldean said the Operations and Governance Committee recommended approval of item number one. All expenditures are within budget and revenues are at or exceeding projections. Planning fees are tapering off and could affect the budget projections. The Operations and Governance Committee heard item number two and decided to defer action without a recommendation based on the assumption that this item would be removed from the Consent Calendar for further discussion.

Board Comments & Questions

Mr. Friedrich said the proposal is for 84 square feet of additional mass. They talked about this last month that this is allowed under the new Shorezone Plan where parcels adjacent to this can be retired and they can do monster piers in exchange. It seems like we're starting to see a lot of these sizes of piers and boatlifts. Is this what was intended in the Shorezone Plan?

Mr. Marshall said yes, but that is not an agreement with Mr. Friedrich's characterization whether they are monster or not. The last time they looked at one of these piers, Mr. Friedrich's concern was that it wasn't truly a reduction in development potential because of the ownership pattern of the lots. This one is in different ownerships, it's more like a true multiple use as opposed to one family owning all of it. The findings and allowances are all within the design criteria that the Board adopted for the new Shorezone rules.

Mr. Friedrich asked if there was any public comment received from the neighbors of this project.

Mr. Marshall said no there was not.

Public Comments & Questions

None.

Mr. Hoenigman moved approval.

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

Absent: Mr. Rice

Motion carried.

VI. ADMINISTRATIVE MATTERS

A. Lake Spirit Awards

Ms. Regan said TRPA the Lake Spirit Awards are alternating years with the Best in Basin Awards.

TRPA staff Ms. Ortiz provided the presentation.

Ms. Ortiz said In 2011, TRPA introduced the Lake Spirit Awards to recognize individuals in our community who show exceptional commitment to protecting Lake Tahoe. Over the years we've honored 25 exemplary citizens and agency representatives who not only demonstrated a strong commitment to Lake Tahoe's environment but also modeled a spirit of collaboration.

During the pandemic, in celebration of TRPA's 50th anniversary, the agency bestowed "Spirit of TRPA" awards in lieu of Lake Spirit Awards to celebrate individuals by the decades who embody the essence of collaboration in the basin.

This year, our excellent selection committee comprised of TRPA staff and Governing Board member Ashley Conrad-Saydah received 20 nominations. The competition was as fierce as the nominee's commitment to Lake Tahoe, and ultimately, we selected six individuals for awards. There is one North Shore and one South Shore recipient for the categories of Citizen, Agency Representative, and Lifetime Achievement.

Heidi Doyle was one of the first female park rangers hired by the state of California in 1980. After 32 years serving mostly the State Parks in and around Lake Tahoe, she decided to retire. But, for anyone who has ever met Heidi you know that she is brimming with energy and enthusiasm, so she started her next career as the Executive Director of the Sierra State Parks Foundation where she is currently employed.

Her work with the foundation has raised many millions of dollars to reinvest back into the Sierra Parks and the foundation has been recognized nationally as a model organization for public/private partnerships. Heidi's 45 years of dedicated service and leadership to our California State Parks make her an excellent candidate for this year's Lake Spirit Award.

Jean Diaz is the Executive Director of St. Joseph Community Land Trust, who recently completed construction on and sold homes to three local households in South Lake Tahoe. St. Joseph Community Land Trust coordinated the planning, permitting, construction and sale of the homes. The homes are owned by the purchaser, but the land remains with the land trust. As a result, the homes will be permanently affordable for households earning below 120 percent of the area median income, even when they are sold. This creates ongoing homeownership opportunities for south lake residents that may not otherwise be able to afford a home. We are proud to honor Jean's invaluable work to preserve and expand permanently affordable homes for the Tahoe Basin's low and moderate workforce and families.

Helen Neff has been a leader on traffic safety in the Tahoe region in the past year. After being hit by a car herself and suffering serious injuries, Helen got to work improving pedestrian safety in Tahoe. She reached out to Take Care Tahoe about creating a traffic safety campaign, which she funded herself. This led to the launch of the Take it Slow, Tahoe campaign in June of 2022. Take it Slow signs are now placed around the basin and on a billboard seen you approach Tahoe from Carson City. This spring, Take Care will be distributing free yard signs around the basin with the Take it Slow message on them. This campaign would not have been created without the advocacy and support of Helen Neff.

Lila Peterson. The uniform room at a ski resort may seem like an unlikely place for an individual to rise up as an environmental protector of our lake, however Lila has done just that. She spent the entire season at Heavenly Ski Resort identifying waste streams that her department contributes to and worked tirelessly to find solutions. On her own initiative, Lila implemented programs to keep used uniforms out of the landfill, installed a Lomi™ (smart composter) in the employee center, recycled

several pallets of plastic wrappers, organized Blue Crew trash clean ups of neighboring streets impacted by ski resort traffic, created a clothing drive to help employees without winter clothes, and volunteered to lead the resort in implementing a zero waste program. Because of Lila's efforts she was asked to serve on Heavenly's Epic Promise C2Z (Carbon to Zero) team, which is normally reserved for senior managers and directors. She has also received multiple nominations for "Epic Service" awards.

Forest health and wildlife habitat improvement have always been top priorities to Roland Shaw. He joined the Nevada Tahoe Resource Team in 2003 after a 30 year career with the USDA Forest Service, where he led fuel reduction and forest enhancement projects.

He also conducted the first ever prescribed burn prescription for 100 acres in the Tunnel Creek area near Incline, successfully and safely. Near the end of his career, he also designed and conducted a helicopter removal of overstocked material for 500 acres of critical forest around the north and west sides of the Spooner Lake basin. The multi-million dollar Spooner Landscape Resilience Project costs were offset by timber sales, and the use of helicopters greatly reduced the level of impact to the landscape. As we celebrate Wildfire Awareness Month it is most timely to bestow a Lake Spirit Award to Roland to acknowledge his myriad contributions to making Tahoe's forests more resilient.

Don Lane is one of the longest serving Forest Service staff in the entire country. Don is responsible for maintaining recreation sites and crews that patrol Desolation Wilderness. His dedication to Tahoe over the last 30 plus years has connected countless numbers of people to the outdoors. His colorful story telling brings history to life and inspires everyone to be a steward of the Tahoe Basin.

Presentation: <https://www.trpa.gov/wp-content/uploads/Agenda-Item-No-VI-A-Lake-Spirit-2023.pdf>

Board Comments & Questions

None.

Public Comments & Questions

None.

- V. Consent Calendar Item No. 2: Release of Placer County Water Quality (WQ) Mitigation Funds (\$500,000.00), for the Kings Beach Water Quality Improvement Project.

Ms. Holloway, Deputy CEO, Placer County said this area of Secline Street is a high use recreation area with a lot of access to the lake. There is need for improvement from a water quality perspective. The other part of this project that will be talked about is Brockway Avenue that is perpendicular to Secline Street and is currently a dirt roadway.

This is an uncomplicated project from a pavement perspective of a roadway. These are basically paper streets, rights-of-way that are in control of Placer County that they are proposing to pave from a water quality perspective. In doing so, they are reorganizing and formalizing some of the parking that's occurring in this area from an access and residential perspective.

There are some existing residential uses on Brockway Avenue. Adjacent to Secline Street they have a property that is owned by the North Tahoe Public Utility District with their pump station along with some land owned by the California Tahoe Conservancy. There's been a lot of discussion with those

partners over the years.

These two streets are 45 foot road, rights-of-way that are being improved with a 20 foot road generally and about ten parking spaces. This project achieves environmental goals, improves the pavement, and advances some of their other initiatives in the region such as a parking management program in the future. They anticipate that these new parking spaces along Secline Street to be part of that strategy. It will be better in managing and controlling the access point, and the parking. The hammerhead on the south end is anticipated to be a turnaround area along with a microtransit perspective from TART Connect that will bring people to this access point. It will be an alternative to the parking to facilitate alternative modes into these areas.

This Secline Street portion of the Kings Beach Water Quality Improvement Project was identified as a phase. The water quality project was initiated and became a project in 2003 and this is a phase of that. In 2008, the environmental document for that bigger project was approved by the Placer County Board of Supervisors. In 2013, Secline was identified as a phase of implementation. In 2017, the Placer County Area Plan was adopted by TRPA's Governing Board and the Placer County Board of Supervisors. In the past three or four years, they've gone to work to get this to implementation. They anticipate going to the Placer County Board of Supervisors in June to award the contract. The solicited bids were opened, and the lowest bidder has come in under their engineer's estimate.

Placer County had a town hall meeting in May 2022 and this project was highlighted as part of the public works booth. In August of last year, they did a number of meetings with the North Tahoe Business Association and the board of the North Tahoe Public Utility District. They've met with the Economic Vitality Committee and know that the Governing Board has received some letters with concerns. They've done two site walks with members of the Economic Vitality Committee trying to address and understand any additional amendments or considerations that they might include.

They are ready to go to the Placer County Board of Supervisors to award the contract for construction and this is the final step of bringing all the funds together in order to go to construction this summer. They understand the concerns of NTBA Economic Vitality Committee today, they have met with them and have tried to incorporate many of their requests to bike racks to location of the road.

Public Comments & Questions

Danielle Hughes appreciated the work that Placer County has been doing with them but in reality, they haven't had their questions fully answered. They aren't trying to stop the project or funding and are looking forward to a positive outcome and investment in improving water quality. However, they have concerns that the project is not aligning with the area plan. They would like to see a condition to ensure that it gets built in a manner that is consistent with that plan. The North Tahoe Public Utility Board did not move forward with a license agreement for the initial project. That board has decided to shift and are going to work with the Conservancy and Placer County to look at the planning effort for those properties. This is an important project that needs to consider those future projects that are moving forward. Because it didn't go through a proper design review of Placer County, please condition the project to assure that it's aligned with those visions in that plan.

Andrew Ryan, Engineer and Economic Vitality Committee member said they've been advocating in Kings Beach with their group for a number of years for walkability, live ability. He believes that they can all recognize that the development patterns around Tahoe are automobile centric and are all working to change that. With their advocacy, they are pushing hard to bring balance and continue to bring elements of the Tahoe Basin Area Plan and the shared use trail that represents thousands of

hours of community engagement from broad stakeholders. They want to see more emphasis on that than parking in this spot. It's okay as an advocacy group that don't always agree with Placer County but want to recognize that their work with the Department of Public Works, especially with Rebecca Taver has been positive and things are moving in the right direction. But they do want to have some assurances with funding and moving forward since the project is already out to bid and potentially awarded that it will reflect their concerns that are in the area plan. A way to do that would be to have the Placer County Planning Department review the project as a condition or since it's a joint document with the area plan and TRPA, have the Environmental Improvement Program permit that will be written for this, provide conditions to ensure that they can accommodate the boardwalk, that the wanted water quality improvements aren't inhibiting the boardwalk. If they are formalizing parking, that triggers these parking facility requirements within the area plan and get things such as screening, adequate trash and screened enclosures, and screening from the scenic side of the lake as well. Their ask is to have you support this project from a water quality perspective and support their work with the area plan.

Board Comments & Questions

Ms. Aldean referred to the third page of the Economic Vitality Committee letter where it states "Our review of the Tahoe Basin Area Plan and Vision plans would expect the following to be part of the Lower Secline project documents. Project elements we would like to see include....." Are these achievable or are they inconsistent with the project that Placer County wants to advance today? Or is there room to accommodate some of these recommendations?

Ms. Holloway, Placer County said her understanding with some of the asks that Mr. Ryan and Ms. Hughes have elevated, really relying on the language in the area plan which is a land use document. Many of those standards apply to private development or development of lands. This is a county road right-of-way. Not that they can't elevate those things, but it doesn't necessarily one for one apply to a road improvement project which is sort of what this has evolved into. Her understanding is that they've agreed to bring in bike racks to incentivize as many alternative modes as possible and have worked to better align Brockway Avenue. It's a 40 foot road right-of-way and a 20 foot wide road. It has the opportunity to move to the north or south in the design. The Economic Vitality Committee has helped them shape essentially where that would ultimately be located. The desire is to have this boardwalk which is in the area plan on the north side of the road. The north side would be the boardwalk then a 20 foot wide road and then immediately adjacent to homes there's a six foot buffer or roadside on the south side. This is something that they've bid differently but understand that it could be covered through a change order.

Mr. Keaveney, Placer County said after rereading the paragraph in the NTBA Economic Vitality Committee letter asking in summary, they ask that TRPA enact conditions on the water quality funding and EIP permit that address the following. Of the bullet points presented, any of the bullet points that relate to the boardwalk are something that have been presented just exactly as they are asking for the condition to be levied upon. Placer County has already met those requirements. Aside from allowing for 13 to 15 feet of appropriate width, they've done what they feel is the best condition for both the residents and the visitors and have reduced it to 12 feet. They were asking for 13 and they reduced it to 12 and feel like that's a compromise that works for everyone. Requiring a comprehensive operations and maintenance plan with responsibilities; he thinks they are heading in that direction. The first bullet point of ensuring consistency with requirements for parking facilities or parallel parking for the area plan. They've done what they feel makes an adequate project by presenting the perpendicular parking that they have out there, not adding any spaces from what there is now and

allowing people to turnaround. Within the county, they have a design exception request which would allow them to deviate from the area plan slightly to do that perpendicular parking. Altogether, feel like they have a well-supported project from the public.

Ms. Holloway, Placer County said they are amenable to doing some kind of operations plan. They make a lot of good points from the snow removal needs into the future to the overall coordination with the neighboring entities. The North Tahoe Public Utility District has a pump station there and the California Tahoe Conservancy also has land there. The area plan standard that talks about parallel parking, they are proposing perpendicular parking. There are ten spaces of perpendicular parking to the exception request. The intent of that language in the area plan was intended for a through street. This is a dead end street and is more of a parking lot in its ultimate configuration than a through street. It came down to more of a safety issue of the parallel parking being a bit more of a safe entry and exit onto a through public street as opposed to perpendicular parking. They feel that this achieves the goals of the project. There are ten spaces, they would estimate that they would only be able to get about three from a parallel perspective.

Ms. Aldean made a motion to approve the release subject to the conditions contained in this memorandum and a commitment from Placer County that the proposed project will be consistent with the area plan as appropriate and applicable.

Mr. Marshall said it's already a determination for the release that it's consistent. That condition in of itself doesn't add anything.

Ms. Aldean said it gives some assurance to the people that have concerns that certain elements have not been incorporated in connection pursuant to the area plan, that in fact the area plan will be followed where appropriate. There are some changes that Ms. Holloway has just addressed with respect to the orientation of the parking and that is why she added "as applicable" to the motion. This gives them some flexibility to meet the spirit of the area plan if not the letter of the area plan.

Mr. Marshall said his concern is by including that condition, you are somehow assuming that it's not already consistent with the applicable area plan.

Ms. Aldean said she doesn't think it is in terms of the orientation of the parking, isn't that what Ms. Holloway just stated.

Mr. Marshall said Ms. Holloway stated that it is consistent.

Ms. Aldean asked if that was in the terms of orientation.

Ms. Holloway, Placer County said the area plan language does state on public roadways that it would be parallel, so, there is design exception process that they would go through to recognize the current proposed configuration.

Ms. Aldean said she was trying to build in some flexibility. It may not be entirely consistent with the area plan based on the modification that they are recommending, but it's justified.

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

Absent: Mr. Rice

Motion carried.

VII. PLANNING MATTERS

A. Resolution in support of the Lake Tahoe Wildfire Awareness Campaign, May – October, 2023

Ms. Regan said they've been hearing consistently the concern around fire and evacuation and know the importance of community education around this. They've seen public education ebb and flow from 16 years ago of the Angora Fire to 2021 and the Caldor Fire. It's incumbent on all of us to ensure that the community is engaged since roughly 90 percent of wildland fires are human caused. There are now about 65 neighborhoods that are either fire adapted or fire wise communities in Lake Tahoe.

Ms. Gustafson read the resolution into the record.

Board Comments & Questions

None.

Public Comments & Questions

None.

Mr. Settelmeier made a motion to approve the Resolution in support of the Lake Tahoe Wildfire Awareness Campaign, May – October, 2023.

Ayes: Ms. Aldean, Mr. Di Chiara, Ms. Conrad-Saydah, Ms. Diss, Ms. Faustinos, Mr. Friedrich, Ms. Gustafson, Ms. Hill, Mr. Hoenigman, Ms. Laine, Mr. Settelmeier, Ms. Williamson

Absent: Mr. Rice

Motion carried.

B. Tahoe Keys Control Methods Test Project Update

Mr. Zabaglo said the first year of testing is complete and they are getting ready to begin the second year. Mr. Walcott, Water Quality Committee Chair, Tahoe Keys Property Owners Association will provide some context on the commitment and journey of TKPOA. Dr. Anderson, Science consultant for TKPOA will provide an update on the progress over the past year, and Mr. Patterson, League to Save Tahoe will give a perspective from the League and some of the efforts going on in the Keys.

The Tahoe Keys Control Methods Test is a large scale test project to address the weed infestation in the Tahoe Keys such as the Curly-leaf pondweed, Eurasian watermilfoil, and a native species at problematic levels called Coontail which are their target species. They've been working on solutions for this infestation that's 170 acres. The largest completed project to date is a six acre area in Emerald Bay. The area circling portions of Lake Tallac is around 17 acres and is roughly the same size as the project being done at Taylor Tallac.

This is an innovative approach at multiple levels. One, they are using innovative tools including one that was pioneered in Lake Tahoe with ultraviolet light to treat the target species and also the one

time use of aquatic herbicides which has never been tried before. It's a one-time application with follow up of non-chemical methods for the long term to control the infestation. Some of the milestones started with the success of the Aquatic Invasive Species program, starting with the boat inspection program preventing new invaders from coming in. This allowed them to focus on the species they had prior to the inspection program being in place. Achieving that localized eradication, gaining credibility, and allowing funding to come through to start tackling these larger infestations. Of course, the commitment by the property owner's association. Without their commitment and fortitude to move forward, they wouldn't be here today. The TKPOA assessed themselves to provide the needed funding for this project. A stakeholder committee was formed as a result of this complex and somewhat controversial project to ensure transparency, that the public process is robust and is where the idea of a test project came from. That led to the comprehensive environmental analysis with a significant amount of data collection done prior to establishing a baseline and then assessing the range of alternatives which includes a no project alternative. That's the one alternative that the analysis concluded would have the greatest harm to the Lake. It also concluded that the control methods test as proposed could be implemented safely. It recognized several redundant protections and mitigations such as treating early when biomass is low so there are not excess nutrients entering the system. Also having double turbidity curtains to ensure any herbicide was staying inside the treatment areas. On call divers to assess anything in the water and independent monitoring by TRPA. In January 2022, unanimous decisions by the Governing Board and the Lahontan Regional Water Quality Control Board to memorialize those mitigations. That led to a lot of work and collaboration to get the project on the ground about one year ago today.

TRPA issued a permit and provided a regulatory role to ensure that the thresholds are being achieved. The project does this on multiple levels not only to ensure that potential impacts aren't realized but this is also leading to a restoration project. Also, ensuring that this project achieves the Aquatic Invasive Species program, achieving localized eradication predominately inside the entire but also reducing invasive species within the Tahoe Keys to a considerable level.

There's been numerous opportunities for the public to participate, provide input and learn about the project.

There were various treatments used such as herbicides, ultraviolet light, and combinations along with monitoring for water quality, herbicide degradation, fate and transport, nutrient levels, making sure that mitigations were implemented if needed based on the results and then efficacy, looking at the plant species and how they responded to those treatments.

(Presentation continued)

Mr. Walcott provided an overview from the permit approval through last season's testing. Mr. Walcott's been on the TKPOA Water Quality Committee for a few years and is on the association board. The Tahoe Keys has been at this for about 50 years and for more than 20 years they've had some dedicated homeowners and professionals like Dr. Anderson working to understand the problem and bring attention to it. That got them to this five year collaborative effort and then 12 weeks to implement the test. There were approvals provided by TRPA, the Lahontan Regional Water Quality Control Board, and the Tahoe Keys Property Owners Board okay and the funding to proceed.

Some wondered why they'd been working on this for five years and weren't ready to go. There's no money for implementation until the project is approved and, in their case, it was zero until the permits were issued. This was a controversial project, and it was difficult to get agencies or individuals to talk

in detail about the specifics.

The TKPOA had no less than five project reviews, go, no go meetings from February to May. In February, they gave this project about a 50 percent probability of getting to the start line and were looking at about \$1 million just from the homeowners. By May, they were up to 80 to 90 percent confidence level but then they were looking at \$2 million and didn't have those funds organized. After some consideration and discussions, they pushed forward.

While they are doing about one year's work in 12 weeks, they had to get through the list of seven miracles. The first one was water depth in the lagoons. There's a logistical side to this with boats in and out, launch ramps, treatments along the shoreline, and was there enough water to do the work. There's also the scientific element of this, are they going to get results that are repeatable and useful for the future.

They thought that the depth equivalent of 6,224 was about the minimum. They were right there, and the lake was falling, and they were spending money. Winter came in April, and they got around a half a foot after that.

The water temperature needed to be above 16 degrees centigrade but that had to happen before they could begin the test. It also had to happen while the lake was still rising. Based on all the information they had, it translates to slightly less than about a two week window in the last half of May. Everything has to be ready, and the meteorological conditions have to align or there is no test.

There were 12 contractors, more than a hundred people on the water and ended up with a great team.

The turbidity curtains and boat barriers are the physical elements that defined the test site and mitigation efforts. Beyond the physical, there's the procedural element, homeowner communication, etc. There were 25 test sites organized into three areas: Lake Tallac, the southeastern area of the Tahoe Keys and the west side. Within each of these areas, boating and all water activities were completely restricted.

They weren't able to get into a lot of the details until the permit was approved. The monitoring specs were influx until the 11th hour of the start. Standard water quality monitoring has to occur between 11 am and 2 pm and was quite a puzzle with all of the logistical considerations.

Lastly, they had to prove that they had flow into the lagoons. The Keys invested in a state of the art doppler device to measure flow by sending a sonar signal into the lake and lagoons, but the problem is it saw the lake very differently than it saw the lagoons and couldn't sort out the data. They ended up using a meter from the water quality department. They came very close to not implementing this project for this specific variable. He's not sure that this variable deserved the weight that it got. It boiled down to something slightly better than a coin toss for a variable now that they have some data on what happens in the channel, likely didn't have much of a potential impact on the test. As they move forward, they need to look at all of these mitigation measures carefully.

There were 75,000 data points compiled for 90 percent of the target. Dr. Anderson will talk about this more. No herbicides got anywhere near the lake. The summer was not without issue, the weather was horrible during the month of June. The economics were tough. The 3-year cost of this project is going to be four times what the TKPOA budgeted. They managed to close 75 percent of the gap. The

extended boating closure was an issue, many owners lost the summer, and few suffered economic loss because of rentals, etc. Because of the extended closure, water quality degraded to a level that was unacceptable.

They modeled herbicide degradation down to one tenth of the safe drinking water level and that supported the three to five weeks. When they put the procedures together that added a few weeks for a closure through mid-July. By the third week in June, they realized that wasn't going to happen and the date was moved to the middle of August. In the end it was 15 weeks.

There were extensive algae blooms in Area A for a couple of weeks in August. There were some areas of the Keys that were uninhabitable for a couple of weeks because of the odor. TKPOA hasn't lost sight of the goal of a long term solution for weeds that is environmentally sound, economically viable, and permissible.

They rolled out a referendum in October for the homeowners to fund a second year. The members did vote to support this project with a greater than a four to one margin. Their board has approved funding to kick off another water quality project for their circulation and treatment system addressing long term nutrients.

They don't know what the answer looks like yet and is the purpose of a three year test. They're confident that the great team will come up with a solution.

(Presentation continued)

Dr. Anderson said the monitoring was intensive. They had some elevated nutrients in the herbicide treatment areas and somewhat in the ultraviolet light treatment areas but did create a problem in Area A. They submitted their 162 page report on March 15 with a lot of good data.

Slide 36 summarizes what happened to the treatments and how they affected the plants. The green arrows are good. The metrics were could they produce this vessel hull clearance to make navigation possible in the Keys. Secondly, their metric was to produce biovolume by 75 percent, and third was to encourage the desirable native plants to do better. The Endothall only treatment was pretty much 100 percent control across all of the target species. It did produce the vessel hull clearance needed and also left the native Elodea plant alone and is recovering nicely this year. The triclopyr treatment alone was a very selective treatment only aimed at controlling Eurasian watermilfoil and didn't control the other plants. The reason they used that is because it's systemic and gets into the roots and has a longer effect. It didn't get a green arrow on the biovolume reduction because the other plants grew. It did get 90 to 100 percent control of Eurasian watermilfoil. They had good control with the ultraviolet lights approaching 70 percent or more biovolume with the ultraviolet lights and had some negative effect on some of the desirable native plants. It wasn't that selective but was effective. The combination treatments will be retreated with ultraviolet lights in 2023.

Slide 40, green is good, yellow not so good, and red is bad. This is a heat map that shows the effect of the treatments 120 days after treatment. There were 8,000 rake samples in one season to determine the condition of the plants in these sites. There were no herbicides escape into the west lagoon or outside the treatment areas. The only issue they had was getting down to a non-detectable level for Endothall at 45 days and Triclopyr was 105 days. One of the reasons was that there was high turbidity in Area A which blocked the sun from decomposing and degrading Triclopyr.

Group B, non-herbicide methods. They are now looking at what were the effects of year one on the treatments for the sites that they are going to be using Group B methods which have to have 75 percent reduction in the biovolume. In the next two weeks, the spring sampling will tell them where to go with Group B methods which include diver removal by hand and suction removal, bottom barriers and more ultraviolet lights.

(Presentation continued)

Mr. Patterson said the League's mission is to protect and restore the environmental health, sustainability, and scenic beauty of Lake Tahoe with a focus on water quality and its clarity. They believe that the Control Methods Test is directly linked to aquatic invasive species and the achievement of this mission. They don't believe that they will keep Tahoe blue unless they address the ecology of the lake and the Tahoe Keys in particular. They see the CMT as much broader implications than just can we control weeds in the Keys.

From 2012 to 2017, was learning about aquatic invasive species, the Tahoe Keys in particular. Implementing community engagement programs at the Keys and lake wide to understand where the weeds are and what they are doing. Then their personal investigation into what types of methods could be effective at controlling aquatic invasive plants. A financial commitment from the League, which is something that they had never done historically, is to have the League fund a project directly. They invested in non-chemical control methods, containment, and water quality improvement monitoring. In 2017, there were presence of harmful algal blooms on a more regular occurrence within the Keys and now the lake proper.

In 2018, the Stakeholder Committee was established. At that time, they supported that all methods be looked at. The current methods that Lake Tahoe had for fighting aquatic invasive species were not going to be effective in the Tahoe Keys. They had to look at emerging methods and proven methods which included targeted herbicides which was a big deal. The CMT was looking at something totally unique with a one-time use of herbicides. Could they knock back and maintain this in perpetuity without herbicides which would be great for Lake Tahoe. They were on board for testing. They also realized that it could take a long time to find the answer and needed to take their time and be methodical. They worked with partners implementing the first ever bubble curtain use for control of aquatic invasive plants. Bubble curtains have been used in aqua culture and other locations throughout the world since the 1970s but never for the containment of aquatic invasive plants. They designed and implemented this with TKPOA in 2018 and funded it.

They also started testing Laminar Flow Aeration which is the method of implementing oxygen into the sediment to effect water quality, reduce sediment for plants, and hopefully effect the long term growth of the plants. The LFA have now been incorporated in the CMT and shows the breadth of the CMT looking at everything that could be included in combination or isolation to address the issues.

In 2020, what they had suspected, and he had seen since 2016, that the infestation had already got out of the Keys and was in the lake. Lake wide monitoring which this group put together, and the Tahoe Resource Conservation District conducted demonstrated that we're talking about 105 acres. The second largest infestation in the lake is six acres at Emerald Bay.

They also had to double down on containment with a double bubble curtain. They worked on improving containment on the west channel, implementing an east channel containment project with double bubbles of different designs to see if they had different efficacies. This was the only place in

the world where this was happening. They worked with a company out of Toronto to design this curtain and implement it and are now getting a lot of attention collectively on bubble curtains as desalination is increasing, there's concerns with aquatic vegetation clogging intakes. They asked Tahoe how they were doing with their bubble curtains. What they are learning at the Keys has implications far beyond just this test.

They support this test for a lot of reasons. There was a commitment from everyone to try something. Status quo wasn't going to work. The no action alternative for this test had the most substantial impact on the lake. They needed to learn, try, and make progress together and execute under very hard conditions.

The League is maintaining its continued focus on the CMT but complementary projects as well. Without the CMT, none of the other project's matter, the CMT is key to the long term. The League remains committed not just to the efficacy of the control test but how do you implement it, where do you implement it, when do you implement it, and what do you monitor? They are learning if it affects the plants, they are learning how to do it which is equally as important for the long term. There are excited in 2023, to do targeted efficacy studies of bubble curtains and Laminar Flow so they have scientific data and perhaps layer some methods on the Laminar Flow sites and others to work in combination methods in year two.

They brought in a new partner that was essential and missing for most of that decade which is the Tahoe Keys Marina. It has new ownership and has engaged in an Environmental Improvement Program project with the League to test new technologies for better containment projects.

(Presentation continued)

Mr. Zabaglo said this test is just starting, there are a few more years to go. Nothing has been predetermined. At the end of the test all the information will be assessed to find the right solution for the long term.

Presentation: <https://www.trpa.gov/wp-content/uploads/Agenda-Item-No-VII-B-Tahoe-Keys-Control-Methods-Test-Project.pdf>

Board Comments & Questions

Ms. Aldean said this is a unique partnership and a lot of people vilify the Tahoe Keys, but we have to acknowledge its existence and move forward in a cooperative and collaborative way. Kudos to everyone.

Public Comments & Questions

Carolyn Willette understands that the boats were not allowed in the harbor and going out to the lake during the first phase of the test but are going to be allowed during the second phase of the testing? Since the boats spread the weeds, the conditions when comparing the different methods of the test will not be the same. Will the boats going in and out spread the weeds and affect the second phase of the test?

Judith Simon said it was an excellent presentation and commended everyone. The work done by some members of the public, including herself to ensure that these herbicides didn't get into the lake, bore

fruit. All these presentations will be available on the TKPOA website. She'll continue to monitor this project.

Dr. Anderson said during the first year the controls were outside the curtains. The comparison will still be good because this year they are outside of the curtains because there are no curtains. The controls will still serve their purpose because they were not involved in preventing boat traffic last year.

C. Destination Stewardship and Sustainable Recreation Update

TRPA staff Mr. Middlebrook and Ms. Friedman provided the presentation.

Mr. Middlebrook said Destination Stewardship and Sustainable Recreation are one of the key TRPA priorities through the Bi-State Compact calls for a recreation plan element for the basin which is one of the key recreation threshold categories.

The first part of the presentation he'll provide an overview of the Lake Tahoe Destination Stewardship plan which is the culmination of about a 16 month planning effort to create the first ever destination stewardship plan for the Tahoe Basin.

They all lived through the pandemic, especially in 2020 and 2021 with the rush of visitors coming into the region, escaping the lock downs in nearby urban areas and enjoying the outdoors. This is not a new challenge for the Tahoe Region. The Covid pandemic highlighted the challenges that we were already facing. Since 2018, TRPA along with the Forest Service through the Environmental Improvement Program have been working on tackling the topic of destination stewardship and or sustainable recreation for a number of years now. During the pandemic, they took the partnership and collaboration and for about 2.5 years a group of about 50 stakeholders met every week to discuss recreation challenges in the basin and put solutions on the ground including expanding the Clean Tahoe Litter program around the lake and starting an ambassador program. That was the short term immediate response to sustainable recreation issues brought on by the pandemic but there was also an identified need for a longer term approach of the Destination Stewardship Plan.

This is a partnership across the region. The first in our region, our destination marketing organizations which are transitioning to management organizations and our public land managers, recreation providers, businesses, and non-profits are all working together on tackling this challenge. This is one of the first times the land managers and marketers have worked closely together. The marketing organizations are also working across the region where south and north shores are no longer seeing each other as competition within the region.

At the core of this work has been stakeholder engagement and listening. They've engaged over 3,000 people in both residents, businesses, and visitors to the region through a multitude of stakeholder workshops, interviews, focus groups, and surveys to get an idea of the challenges and what solutions people want to be implemented across the region. This plan is also informed by a set of data analysis including a situational analysis that looks at the state and history of visitation and recreation in the Tahoe Region. A summary of that stakeholder engagement, a tourism impact model that looks at the economic side of the equation and what the impact of creating a more sustainable system means to our local businesses and tax revenue. Then an optimal value framework which is based on the future of tourism coalition which TRPA was an original signatory to and where are the key metrics of the sustainable recreation destination system. And are they in the range of being in a sustainable system or over or under shooting in certain areas. Lastly, a funding study that highlights or recommends

potential funding solutions moving forward will be discussed more in order to fund ongoing recreation infrastructure and management.

With this unique partnership, the other major accomplishment that has come out of this is for the first time they have a shared vision around what the region wants our recreation and tourism system to be into the future and that is a cherished place welcome to all. Where people, communities, and nature benefit from a thriving tourism, outdoor recreation economy. That vision is supported by four strategic pillars based on fostering a tourism economy that gives back turning that shared vision into action, advancing a culture of taking care, and shaping the experience for all.

Within the plan there are a number of actions around 28 total that are organized by those four strategic pillars. They are looking at a number of immediate short term actions that they'll work on over the next several years that will help achieve that vision.

They understand that just doing a bunch of actions doesn't necessarily bring long term systemic change to our overall tourism and recreation ecosystem. They need to continue the partnership that came up with this plan and established long term governance to guide that collaboration and oversee implementation of the recreation vision. Some of the immediate steps this partnership will take are around governance and establishing a formal destination steward council and building capacity of that council by hiring staff to manage the program and oversee the action teams which will help implement actions.

The Proposed Governance structure is organized the same as the Environmental Improvement Program and the Tahoe Interagency Executive Steering Committee. Slide 13.

Next steps: Next month the final Destination Stewardship Plan will be launched to the public. Then establishing the Destination Stewardship Council and hiring staff over the summer. This isn't just about a plan that has more recommendations, that needs more studies, and more feasibility reports, etc. It's also about action and addressing the concerns that they heard from the public. This summer there'll be a continuation of the ambassador programs. The City of South Lake Tahoe has their Park Ranger Program, the US Forest Service, and the State of Nevada have contributed money to supporting the ambassador program expansion on federal and state lands. Clean Tahoe is in their second season of picking up trash on the north shore. The Tahoe Fund is working on a parking enforcement study, and the Take Care program and stewardship messaging is going to continue to be a big strategy. The Take it Slow program was recognized during the Lake Spirit Awards earlier.

(Presentation continued)

Ms. Friedman provided an overview of the work that went into the Destination Stewardship Plan as well as other planning documents within the region translate into action and implementation on the ground and TRPA's role.

The Compact requires that TRPA establishes environmental quality standards which are the thresholds with recreation being one of those thresholds. The Compact also requires that they have a transportation plan as well as a recreation plan that guides how they manage those resources. The Destination Stewardship Plan is one example of how TRPA works with their partners to develop a plan and guide how projects are implemented on the ground. The Environmental Improvement Program is the implementing department of TRPA and is charged with advancing threshold attainment through implementation of projects on the ground. TRPA is the convener of the EIP and is uniquely situated

through the directives of the Compact and the plans to help advocate with the partnership to prioritize and secure funding for the priority EIP projects.

Sustainable Recreation and Transportation are one of the priority actions within the Environmental Improvement Program. They're grouped together because you can't talk about Sustainable Recreation without also talking about transportation. Most of the developed and dispersed recreation is accessed through the main highways. Transportation, transit, parking management are all important and can't have those conversations in silos. As they're implementing recreation EIP projects they look to plans like the Destination Stewardship Plan to see what actions in those plans should be incorporated into EIP projects. It includes things like educational signage like the Take Care Campaign, improved way finding, and interpretive signage to educate the public, litter, trash management, and parking management as well.

Slide 16 is from the EIP Tracker and shows sustainable recreation and transportation and stewardship projects that are in various stages of planning and implementation throughout the Tahoe Basin. The brown icons are the recreation and transportation projects, and the blue icons are the stewardship program projects.

Slide 17 are a few examples of recent sustainable recreation projects. The goal of the Greenway Multi-use Trail/Dennis Machida Memorial Trail is to have a Class 1 separated bike trail going from Meyers to Van Sickle Bi-State Park in Stateline. That project provides an alternative mode of to the private automobile and provides recreational opportunities. The East Shore Multi-use Trail is the trail from Incline Village to Sand Harbor State Park that provides a recreation opportunity as well as improved access to Lake Tahoe. That is also one segment of a larger trail that will eventually go from Stateline to Stateline in Nevada. Part of the larger goal is to have the Lake Trail to provide a Class 1 Trail around the entire Lake. The Spooner State Park Phase 1 Front Country improvement project. Nevada State Parks is making a lot of improvements with Phase 1 including a visitors' center, shop, and amphitheater. One of the goals of the state park is to provide a lot of interpretive signage and have a place where groups can gather to educate the public and create stewards of the environment.

Slide 18 shows some of the upcoming sustainable recreation and transportation EIP projects that will be implemented within the next three to five years. They include future phases of the Van Sickle Bi-State Park, Spooner State Park Front County improvements, future phases of the Dennis Machida Memorial Trail, the Meeks Bay Restoration Project, and the Kings Beach Day Use Area Improvement project. A lot of these projects have multiple benefits. They are recreation projects at their core, but they also benefit water quality, fisheries, and wildlife. One of the reasons recreation is such a draw here is because of the great natural resources we have.

Further out on the horizon there are more projects being planned and implemented. Corridor plans are worked on by TRPA in cooperation with partners. Two of the recent corridor plans include State Route 89 Corridor Plan completed a few years ago and are now seeing action coming out of those plans. They're further analyzing the Cascade to Meeks Trail that will include trails, parking, water quality improvements, and is implementing a lot of the visions and projects that were identified in that corridor plan. The same with the State Route 28 Corridor Plan that was completed a while ago and is getting to a point where they are furthering implementation on the ground. Future projects include the Spooner Mobility Hub which will be a multi benefit project that has parking, transit, and include a permanent Aquatic Invasive Species Inspection Station. There will also be another trail segment that will carry on from the East Shore Trail from Sand Harbor to Spooner.

Presentation: <https://www.trpa.gov/wp-content/uploads/Agenda-Item-No-VII-C-Destination-Stewardship-and-Sustainable-Recreation.pdf>

Board Comments & Questions

Ms. Aldean said there are a lot of exciting projects that have been incorporated into this plan. The objective is to change behaviors and disperse recreation. Do we have a monitoring plan to monitor the use of these various corridors and then use technology tools? In order to accomplish the objectives of dispersing recreation to minimize the environmental impacts and increase the enjoyment to the people who are using these facilities, we need to find some way of gently recommending to people that they not go “here” but go “here” instead.

Mr. Middlebrook said it is all part of what they are looking at in terms of sustainable recreation and destination stewardship. On the technology piece, the Tahoe Transportation District recently received a Federal Smart Grant which will upgrade their ability to track and count traffic coming in and out of the basin to get more real time information. For example, Sand Harbor State Park is looking at implementing a reservation system that will allow them to have more real time information to deal with that traffic that lines up at 6 a.m. on the highway. Then in terms of how they are measuring and monitoring the destination stewardship plan, it does have recommendation on potential metrics to monitor. They are also engaged with the Tahoe Science Advisory Council on a project to look at their recreation threshold and create a better way to measure fair share access to recreation and visitor experience. Regarding dispersing people and changing behavior through encouragement but also making it impossible for people to do the wrong behaviors.

Ms. Hill asked if the commitment to action, ambassador programs, litter management, parking enforcement, and stewardship messaging are what they are working on for this year.

Mr. Middlebrook said those were just a few examples of things folks are working on this year that shows there is going to be action on the ground.

Ms. Hill said she hasn't been able to participate but the Reno-Sparks Convention & Visitors Authority (RSCVA) and the Incline Village Visitors Center have participated for Washoe County as well. She wanted to ensure that these groups also help to push along projects that make the destination successful like connecting that East Shore Trail. It's going to take a lot of political will and a lot of community support connecting trails from Crystal Bay to Incline Village. There's an opportunity as well to ensure that they support these more difficult projects but essential projects. She wanted to make sure that any money that is raised is not pulling from potential transportation projects or work that they are doing on the ground to make sure that they move these major initiatives forward and that this group is in lock step with the Tahoe Transportation District, TRPA and working together. Making sure that we support all of these bigger efforts as a part of this work because it's going to take work and money to make sure those happen.

Mr. Middlebrook said yes, it is a partnership. This isn't necessarily a TRPA led project. They are for at least the planning process the fiscal agent, but it was all funding that was the passing of the hat and have a shared funding for the project and will have shared funding moving forward. The partnership does have ownership over it and noted her comments about transportation funding and some of those bigger initiatives. Some of the actions in the stewardship plan include supporting EIP projects and other transportation projects.

Ms. Faustinos said visitor surveys are really hard to get and asked what methodologies they used to get visitor surveys.

Mr. Middlebrook said for the planning process there was a visitor survey and a resident survey that were launched through various platforms and an email campaign. Those did have standards of significance and plus or minus variabilities. Those were all statistically valid and they rely on a number of surveys that happen regularly every two years. For example, TRPA does traveler surveys that intercept visitors at key recreation sites and other surveys that are conducted by folks from the Forest Service and State Parks. Their online surveys for the plan were also available in Spanish.

Ms. Faustinos said they've found that geocaching is a great way to do these surveys. Unfortunately, it cost a little bit of money to be able to get cell phone numbers. But as people are going through certain geographic areas, they get pinged with a survey which particularly at events proves to be a useful tool to get a great return rate on a survey. She asked if the final Destination Stewardship Plan will be on the agenda next month.

Mr. Middlebrook said this is the presentation that highlights it. They were not planning on bringing back a more in depth presentation to the Board but can make sure that they send it out to them to review.

Ms. Faustinos said the other thing to start thinking about, obviously in the Los Angeles area it will have a great impact on them but also thinks it will have an impact on other parts of the state that are tourist destinations is planning for the 2028 Olympics. That will draw a lot of worldwide travelers visiting the state.

Mr. Middlebrook said knowing about those events is something that they've talked about as a strategy for knowing when and how to market and international visitors is something Lake Tahoe gets a fair share of.

Mr. Friedrich asked if there were any updates on plans to limit or prohibit parking anywhere around the lake and enforcement of those possible new restrictions.

Mr. Middlebrook said parking management is a key priority. Sand Harbor is looking at a reservation system which will be a great pilot for the Tahoe Region. They also work with law enforcement who participate in the monthly calls. The Tahoe Fund is working on a parking enforcement study that is going to have a number of recommendations. The State Route 89 Corridor does call for transit and trail expansion and also the elimination of all roadside parking through that corridor for recreation access. One strategy is to increase the illegal parking ticket in Emerald Bay which is currently about \$50. There's also issues with towing and the limited capacity of the towing companies in the region.

Ms. Friedman said anyone who drives the State Route 28 from Spooner Summit to Incline Village recognizes the need to address the roadside parking. Part of that plan, similar to the State Route 89 Corridor, is to provide parking lots like the new parking lot at Spooner Summit referred to as the Spooner Mobility Hub. Then expanding a few of the existing parking lots that are peppered along that roadway and then have transit and the bike trail going through there. Once that's done, there will be no parking along that corridor. They're only enforcing no parking as projects are incrementally built. Similar to State Route 89 the Sheriff is committed enforce the no parking there and they've committed to increasing the fine.

Mr. Friedrich asked who is responsible for expediting these measures, imposing fines, and contacting the tow companies. How do we get this to happen soon? It's a glaring example of non-stewardship oriented tourism.

Mr. Middlebrook said it depends. Again, all of the above. Emerald Bay for example is the California Highway Patrol who does most of the enforcement along the highway corridor. He believes the County Sheriff will assist them with that. For the last several years they've received grant funding for increased enforcement in that area. But they are not the ones who control the ticket fines, that has to be worked through the County and Caltrans. For example, when they were increased on the State Route 28 Corridor, they were increased because there was a willingness to pay study done and then they had to work through the court system and County Judge to get permission to increase that. A lot of partners will need to be involved. Also, the differences between Nevada and California vehicle codes may require some sort of vehicle code change or legislation.

Ms. Gustafson said that's what the enforcement studies are about is to bring everyone together understanding that they need a comprehensive look.

Public Comments & Questions

Steve Dolan said a book by George Gruell commissioned by the US Forest Service says that around marshes and meadows, trails are not advised. They run the water away from the meadow and the marsh. Monitoring is very important and provides an example of how it hasn't been a standard. There was the 2011 restoration of Third Creek in the lower Incline Village area in the amount of around \$12 million. In 2017, the winter was like the most recent one and the same situation is going on right now. There was so much water that the diversion of that water worked in terms of spreading it out but when it comes back together, it blew a part the US Corp of Engineers work there. He notified many people, maybe even someone here but definitely in Incline. Some of those logs are long and are heading toward the lake from 2017. They pulled one out last year, but the point is that no one is monitoring it. That section of the stream's infrastructure failed and it's moving toward the lake and is dangerous and ceases to be what the intention was when the work was done on Third Creek. Ms. Friedman has been a big help and has been on tours in that area.

Doug Flaherty, Incline Village resident said unless you live here in Incline Village or the East Shore, it's very difficult for the Board to understand how crucially dangerous the E-bike situation is becoming in Incline Village and on the East Shore. You need to come up with a monitoring evaluation to find out how many E-bikes are using the trails. A friend of his was almost hit twice within two or three minutes by a band of teenagers on their E-bikes. They didn't have warning bells or vocalize they were there. They climbed up onto the trail off a side trail and were almost hit twice with no apologies. It's like they are grouping or ganging up with these E-bikes.

D. Tahoe Regional Trails Strategy Update

This agenda item was deferred to a future meeting.

VIII. REPORTS

A. Executive Director Status Report

1) Tahoe In Brief – Governing Board Monthly Report

Ms. Regan said on page 162 of the packet, there are photos of the Board Retreat.

2) Strategic Planning Retreat and Work Plan Update

Ms. Regan said they are still producing detailed notes and incorporating ideas. It was very productive at the retreat to discuss where we've been and where we want to go. Throughout the day they looked at how they've made progress over the last ten years of the Regional Plan and some of those basic principals that they talked about even today, the agreements that were made between the two states which was a pivotal time in the Agency's history back in 2012. Then they looked at the current state of affairs, a scan of the landscape of statistics and walked through some of the data points that somehow defy reality when you live through these today such as traffic. It feels like traffic is worse but when you look at the numbers that isn't the case but there are reasons why it feels that way because visitor patterns have shifted, and the use of public lands has increased. They're trying to get to the bottom of that in some of these planning processes that you just heard about.

They then looked at the six initiatives and looked to the future based on input that the Board provided throughout the last year on how we can boil that down into a smaller set of strategic priorities.

(Presentation continued - Mr. Hester)

Tahoe Living – brings together housing and community revitalization along with water quality, stormwater, transportation, and complete streets. During the Regional Plan Implementation Committee meeting this morning we covered things like mixed-use, complete streets, and housing. Work that is going on in the local governments, work that is going on here, and work that our students from the University of California, Davis are working on. This is continuing that and are picking up items that the board has discussed during the year, as well as continuing with the housing work.

Keeping Tahoe Moving – You heard a lot about Destination Stewardship. One component of this is those destination sites, working to protect them and working with those who operate them to manage them well. That's coupled with the kinds of transportation changes that the Board also talked about. Demand management and using some of the technologies such as broadband, to create an intelligent transportation system that's not always on signs. For example, within a certain boundary there's a notification that Sand Harbor is busy, but Zephyr Cove is not. Plus, there is a whole new generation of transportation planning tools coming along with big data. Some of our models that we use along with the RTC's and COG's use in California are all going to be changed. They'll be looking at new technology for planning and on the street implementation. Public safety and evacuation are a concern. As part of this Keeping Tahoe Moving, there will be a strategic priority to convene groups that are responsible for evacuation. Staff have already started meeting with Fire Chiefs and other public safety providers.

Restoration and Resiliency – This is continuing all the good work of the Environmental Improvement Program and the transportation improvement program for both states and federal. Looking at funding, looking at accelerating environmental improvement and transportation projects. Many have heard about the Green Tape Initiative that TRPA participates in.

For resiliency, we have a multi partner strategy around the basin to deal with climate and has morphed from what they had about six or seven years ago when they had an award winning climate

mitigation plan, now they have evolved to focusing on resiliency. That's going to involve projects, infrastructure changes, as well as code changes.

Those are the three that staff recommend continuing as explicit strategic priorities.

Measuring What Matters – At the workshop they felt that this was a fourth priority. What staff heard from the Board was that measurement and the plan, check, do, adjust or adaptive management approach with measures and regular reporting is something they should integrate into everything. They will continue to work with the Tahoe Science Advisory Council. They are also working top to bottom within the Agency to see if they can get a line of sight from thresholds to formal and informal plan performance measures to the work plan that will be coming back next month and get this cycle built in annually.

(Presentation continued)

Ms. Chevallier said one of the activities in the afternoon of the retreat was to break into stations to hear thoughts and ideas about these initiatives. One was to incorporate the fourth initiative into the three.

Tahoe Living – They heard from Board members and the League to Save Lake Tahoe that they are interested in keeping the Regional Plan front and center looking at the benchmarks and incentives that they set to realizing environmental redevelopment that they envisioned at the time. Continuing to look at those benchmarks and the incentives to see what they can do to continually revise or discuss to make sure they are meeting the needs they would like to see. They want to look broadly at all options for the locations and funding to address affordable housing even if it's beyond town centers where it's applicable. They want to ensure that there is open space and nature included in those complete community plans.

Keep Tahoe Moving – Transportation is among the most pressing challenges and priorities in the basin. Great progress is being made but bold and coordinated solutions are going to be needed by us and all partners around the basin to make progress. Continuing progress on some of the major priorities and transportation such as the trails and transit to continue to disperse use and connect users is top of mind.

Restoration and Resiliency – A lot of great work is happening they just need to continue to expand it and ensure there is a good workforce to keep it going. Exploring biomass technology and solutions is critical. Maybe they can create more incentives for private property owners to implement restoration projects on their lands. They want to prioritize implementation of sustainability actions such as electric vehicles, electric boats, and climate smart codes. Effective preparation for catastrophic wildfire and comprehensive environmental analysis for restoration actions is a priority.

Staff would like to hear any additional feedback today and would like to get endorsement of those strategic priorities where staff will use as guideposts for developing the FY 24 Work Plan and Budget. There's a lot that goes on at TRPA outside those strategic priorities. They all can eventually be linked usually through a mapping exercise of how it all flows up, but they want to look at the core activities that are required by the Compact and how they flow in with the strategic priorities to build the Work Plan to assign where staff time and priorities go.

Once that's completed, she wants to work on refining the processes to align with implementing that

work plan and strategic priorities. How do we make sure we are engaging the public effectively on them, how do we review our board committee structure, do we have the right structure so we can address what they need to address, and establish solid reporting and adaptive management processes. They'll review whether the Tahoe In Brief report is the right vehicle to get the right information to the Board on what's coming or maybe they should look at the reporting on what's been accomplished on strategic priorities and what's coming up. Again, establishing those benchmarks, performance measures, and being able to look at where we are, how's it working, are we meeting our goals, if not, let's refine.

Presentation: <https://www.trpa.gov/wp-content/uploads/Agenda-Item-No-VIII-A-2-Strategic-Planning-Retreat-Work-Plan-Update.pdf>

Board Comments & Questions

Ms. Aldean said with respect to these restoration projects and EIP projects, would it be beneficial to create something similar to the League to Save Lake Tahoe's "Eyes on the Lake" such as "Eyes on the Environment." You could enlist people like Steve Dolan to be our ambassadors in the field, so it reduces the amount of staff time necessary to monitor these key environmental areas.

Mr. Hester said Ms. Regan is planning on a number of community meetings and Ms. Chevallier is working on how to be better plugged into the community. Ms. Aldean's idea is a great adjunct to that strategy.

Ms. Chevallier said we have some programs in place already and we could look to see if they are touching all of the strategic priorities. The more we can get the public involved to help augment our eyes, ears, and monitoring the better.

Mr. Friedrich asked when the Work Plan comes back, to what extent will we be mapping out a calendar, for example addressing specific projects for policy initiatives within those priorities. Some of those sticky notes during the exercise were more specific than we're looking at today. Would the Board want certain things to come back them, for example. There were a lot of ideas and believes there was a general sentiment about having more proactive policy initiatives that fit in these buckets and be less reactive to what comes to us and getting more of those on the agenda. What's the process by which those will be added to upcoming calendars where the Board can suggest things to be added that perhaps on the sticky notes that are not yet added, etc?

Mr. Hester said typically what they've done on the strategic priorities is to bring the Board a GANT chart with when they expect what to happen but that doesn't cover the some 30 core activities that we do here such as the monthly permitting process. There are items that have had performance measures such as how quickly they respond to inspection requests, etc. You'll see all of that, but they'll try to revamp it. They'll try to cover those performance measures that they have in the past that might mean something. The priorities will have a work plan for them.

Mr. Friedrich said very specific action items that would go under each priority. Things that are coming up through committees such as climate codes, density, transportation, parking enforcement, etc. When do they see more of those on upcoming agendas, so they are taking on specific items that are under those priorities on a more regular basis.

Mr. Hester said under each of the priorities, list the things that they are talking about. For example,

Keeping Tahoe Moving, what are they going to do about ITS and broadband. They'll explicitly talk about when they expect things to happen.

Mr. Friedrich asked what opportunities does the Board have to provide some input and direction on when they are considering things and at what pace.

Mr. Hester said that's what the Work Plan will have. What they're hoping is that it's specific enough that the Board would say "yes" do that. If staff comes back every month and the Board is changing priorities, they are not going to get anything done. Staff will try to bring something as specific as possible but not locking staff into things that they don't know for sure are going to happen.

Ms. Regan suggested that the Work Plan give the timeline for some of those key initiatives that map to their three to six month board calendar. Staff has a six month calendar where things ebb and flow. Today, we continued an item that will go into an undetermined month. It's a fluid dynamic.

Ms. Gustafson said Board members can also provide reports or make suggestions during the monthly Board member reports on the agenda. They can provide that feedback if we're not getting to something.

Mr. Hester said what they are trying to be careful about not getting too many priorities. They need to have a smaller set that they can get to and will try to be as specific as possible about what's in there and when it comes but can't get everything in there.

Ms. Aldean asked if there was a compilation of all the comments made during the retreat exercise and if those could be sent out to the Governing Board. She's not suggesting that they add to the Work Plan, but they may be able to augment with things that are considered to be of lesser importance but are nevertheless worth considering.

Ms. Chevallier said they have a compilation of the sticky notes and are going to use that to inform the Work Plan. They will get the list out but also then show how they distilled that into the Work Plan.

Ms. Hill moved to endorse the priorities for staff to prepare the Work Plan.

Motion carried-voice vote.

3) Executive Director Six-Month Performance Update

Ms. Gustafson said a lot has occurred when she looks at where they've come from and accomplished in only six months.

Ms. Regan thanked the Governing Board for their support over the past six months. To the Executive Team, Operations Group, and the entire staff, thank you. There are many things taking place at TRPA and will highlight a few today.

We have a lot of meetings but what do they achieve? Activity does not equal achievement so what are we getting to? We have a lot of measures at TRPA but one of her first priorities was meeting with every staff member. She's fortunate to have the most talented team. Currently, there are no openings at the Agency. There has been ten organizational shifts and some promotions, restructures as a result of her position and are flying a new internal only restructured position for a Science and Policy member to the Executive team to highlight that science and policy connection.

Over the past six months there's been 30 board actions, not including some perfunctory items such as approving the monthly financials. There was the Waldorf Astoria project permit revision but also things like approving the Federal Transportation Improvement Program (FTIP) Amendment which might see administrative but that represents \$100 million in transportation investment. These actions are making a difference on the ground. Today, we not only wanted to talk about the Destination Stewardship Plan but talk about those projects. It was important for Ms. Friedman to share the EIP practical implications of those projects on the ground.

She's done over 35 direct stakeholder meetings over the past six months. One of those key stakeholders was Serrell Smokey with the Washoe Tribe. That has opened even more doors of conversation between TRPA and the Tribe. They were already engaging with the Tribe but one idea that came out of that was to have one TRPA staff person, Victoria Ortiz, who will be the liaison with the Washoe Tribe. They continue to identify more projects that can be worked on together beyond what's already happening.

The first of the year kicked off the Nevada and California legislative sessions. She made a trip to Washington, DC with Tahoe stakeholders. The annual report production from last year was able to be used in all those meeting opportunities.

TRPA is doing a lot more in Spanish, Ms. Ortiz and the team have been interpreting Spanish speaking workshops and is something they've never done before. We have a new web translator for different languages on trpa.gov. It took a lot of work with the technical staff like Ms. Allen and those staff that work with that software. They are doing a lot of that and incorporating a lot of the equity goals from the Equity Committee of staff into the Work Plan and Budget. Also, things like the Trails Strategy that will be ongoing.

Last year, she gave two talks on the Cape in Cape Cod and the One Cape Summit. The power of doing that is the relationships that are folded into the day to day work. Since that talk last summer, they've had multiple engagements on items like affordable housing. We're now on their Advisory Group for a regional strategy on Cape Cod who have very similar issues.

Great job on the unanimous vote on the Lake Tahoe Community College project. You heard from Jean Diaz one of the Lake Spirit award winners about the St. Josephs Community Land Trust three new affordable homes in the City of South Lake Tahoe. Lyn Barnett started that trust about 20 years ago when he was working here at TRPA. Then there's the Tahoe Living Working Group with staff and board working to advance affordable housing.

The press picks up on the big projects like the Waldorf Astoria. Meanwhile people are grinding it out scanning two to three million pages of documents from our file room in a project that Nevada through the budget is funding to support. There's also been other funding support through Federal Rescue Act Funds to get that done. There was the \$11 million that went to transportation grants that you heard about last month.

Thank you to Ms. Gustafson for doing an incredible presentation at the State of the South Shore Address. Member Laine and other members of the community went out to hear about what's going on at the South Shore. We have to get our message out and one of her passions is to be engaged with the community to make sure that they are available and that there are publications such as the Tahoe In Depth. The Tahoe Keys generally gets a lot of community engagement and public comment. At last

week's webinar they answered dozens of questions for that item specifically to free up more time for today for board discussion. They're planning more of that in the future to hold webinars that are of big topics of interest the week before the board meeting.

She was recently invited to the Vice President's residence at the Naval Observatory for an Earth Day event. It was an honor to represent Tahoe on the national stage.

The Nevada delegation came together from all aspects of this process for our Nevada budget approval. The Agency got additional monies plus the one third share and keeping California whole, record federal appropriations and expanded partnerships with many of our partners. There's been a lot of hard work to build those relationships so they can talk to our congressional state representatives with one voice through advocacy.

Ms. Regan will be doing Coffee Talks around the basin as part of her community engagement.

Presentation: <https://www.trpa.gov/wp-content/uploads/Agenda-Item-No-VIII-A-3-Executive-Director-Six-Month-Update.pdf>

4) Executive Director Six-Month Compensation Adjustment

Ms. Atchley said in combination with Ms. Regan's summary of accomplishments over the last six months, there is also a motion for a compensation increase. When Ms. Regan was offered the position of executive director in November of 2022, the letter included an eligibility of 2.5 percent pay increase after that six month review. Staff is recommending that Ms. Regan receive the 2.5 percent pay increase effective May 28, 2023, in accordance with that signed offer letter and staff report.

Board Comments & Questions

None.

Public Comments & Questions

None.

Mr. Settlemeyer made a motion to increase the Executive Director's salary from \$195,037.00 to \$199,929.60.

Ayes: Ms. Aldean, Mr. Di Chiara, Ms. Diss, Mr. Friedrich, Ms. Hill, Mr. Hoenigman, Ms. Laine, Mr. Settlemeyer, Ms. Gustafson

Absent: Ms. Conrad-Saydah, Ms. Faustinos, Mr. Rice, Ms. Williamson

B. General Counsel Status Report

1) Review of Compact Open Meeting Law and Conflict of Interest Requirements of Interest Requirements

Mr. Marshall said the three things he would like to cover today are the Open Meeting Law (OML), TRPA's ethical obligations, and ex parte contacts and requirements. Also, available are materials from

the Nevada Attorney General's Office which has a guide on their website to the Nevada Open Meeting Law. How do we get there? It's through the Compact Article 3(d) that states that our meetings shall be open to the public to the extent required by the laws of the state of California or the state of Nevada, whichever imposes the greater requirement applicable to local governments at the time the meeting is held.

This is one of the few instances in which the Compact incorporates state law. Unlike other areas, you can't necessarily preempt any inconsistent state law because the Compact says you need to follow one or the other. TRPA historically and still follows the Nevada Open Meeting law as the stricter of the two because primarily it has more strict obligations or prohibitions on what meetings can go into closed session. Article 3(d) doesn't wholly incorporate either state OML. It does say the meeting shall be open to the extent required by these two laws. We have a lot of our own rules regarding noticing and various other things that are covered by the Nevada OML but we look to the Compact and our Rules of Procedure for those items.

The legislative intent is obvious for conducting the public's business and should be done to the maximum extent possible in the public. In some ways, Covid was a challenge for that, in some ways, it's expanded opportunities for public participation through the different ways in which we can now broadcast and allow people to participate. The OML applies to public bodies which are two or more people that are conducting the public's business. In almost all instances when this group gets together, they are acting as a public body for a committee meeting or Governing Board meeting. When it's an informal committee that needs to be recognized as a committee, it hasn't particularly approved by the Governing Board, but it operates to make recommendations to this body, it's a public body that needs to meet noticing requirements and other requirements of the open meeting law.

A meeting is what the OML applies to. If there is a meeting it must be conducted and consistent with the Open Meeting Law. If it's not a meeting, then the OML doesn't apply. A meeting is a gathering where there is a quorum present, there's deliberation, and there's an action. All of their meetings essentially have these components. Whenever they get together, it's rare that there is something that can take place that is not meeting. Generally, you want to conduct those things with public participation anyway. What is not a meeting is social functions, attorney client communications and training regarding legal obligations of the public body under the Nevada Open Meeting Law. Things to be careful of are creating a meeting when you don't intend to. Serial communications or walking meetings. They can't conduct business outside of the public eye by serially communicating with each other orally, email, text, or telephone. For example, the chair talking to the vice chair, and talk with various other members, deliberate, and come to a decision, come into open session and execute that decision. That's a violation of the OML because that deliberation was happening behind closed doors. One of the common mistakes is hitting "reply all" to a group communication.

Board Comments & Questions

Mr. Hoenigman said they are not allowed to deliberate but can they share information and get feedback to incorporate into things?

Mr. Marshall said information flow is fine but when they shift from information flow to feedback, that's close to deliberation. If one member called another and asked what they thought about something, that's probably deliberation but you don't have a quorum. Where it becomes an issue is where there's four of you talking and those four people constitute a quorum of a committee. They can have those conversations but need to be careful about the extent to which they have them and the

number of board members you have them with. Keep in mind all the various committees because that's a smaller number; if it's six people, the quorum is four. If it's the board, four is not a quorum.

Mr. Hoenigman said you can't send out something to everyone and get individual feedback to compile or discuss.

Mr. Marshall said no, you cannot. That's polling which is not allowed and would be deliberation. Staff just sent the Board a poll asking for feedback on the retreat on what they would like to see in a future retreat. That was not deliberating towards an action. If you're talking about mixed-use definition and asked another member what they thought of that are the kinds of things that they need to be careful about. You can check in with a couple of people but can't extend beyond that.

Ms. Laine said El Dorado County has five supervisors; they can only talk to one other person about any specific item. Someone starts out by saying have you talked to anybody about the Frontier project for example. It gives you an opportunity to stop it if you have already spoken to someone about it. Sometimes a person will box you in by coming to you and not asking that question and diving into a conversation and now has taken away her ability to go talk with someone else.

Mr. Marshall said with five supervisors, three is a quorum. You have to be your own watchdog because neither he nor the public knows what's going on. This is an implementation of the Open Meeting Law that rests in each individuals' hands as public servants.

(Presentation continued)

Staff takes care of the noticing and agendas. Fundamentally, there are some tighter timelines in the Compact and provide greater periods of notice.

Board members can only discuss and deliberate on agenized items. If they are not agenized, they may be able to make some comments. For example, they individually can say something when they go around the room for Board member comments. But to have a discussion and deliberate about something it has to be noticed with enough specificity to allow the public to know what it is that's going to be discussed. For example, today's Regional Plan Implementation Committee agenda for the City of South Lake Tahoe's items was long because they wanted to talk about a whole lot of items. It was generally a longer agenda item than you would typically see because either they can specifically refer to something or it's an item in combination with the staff report they can identify what specific point is to be discussed. There's some feeling that the more controversial an item is, the more specific you should be regarding notice. We try to error on meaningful conciseness so they can get the feeling of what the range of communications can be had on any particular agenda item. But you can't go beyond that. If you want to discuss something that is related to some aspect but is outside of a reasonable reading of the agenda item, need to ask for that item to be expanded on the next agenda or to find another way to get your thoughts across that you want to talk about. No action can be taken if it's not agenized.

Under the Nevada Open Meeting Law, you need to notice the meeting which is essentially the first page of the meeting packet. Then you need to have an agenda which is often the same document. The Compact requires us to notice the Regional Plan and related amendments with a 21 day notice requirement. It's not an agenda, it's a notice that is published in the newspaper. Where this has been illustrated recently is in one of the comments we received on the telecommunication towers, and they compare a Nevada TRPA agenda with a TRPA notice. It serves two different functions. The notice is

what's published in the paper, not our agenda. NTRPA does it a little bit different by publishing in the newspaper both their notice and to some extent their agenda. We notice at least three weeks in advance the Regional Plan level type changes. Sometimes we over notice but would rather be safe than sorry for noticing requirements. Then there's the seven day notice and agenzizing for the actual meetings.

Under the Nevada Open Meeting Law, it's very limited when we can go into closed or executive session. Under the OML, the executive director and general counsel performance evaluations must be conducted in open session. They can go into executive or closed session for legal communications under the OML, that's a non-meeting as opposed to being in closed session. It's basically the same thing.

Board Comments & Questions

Ms. Diss said it's different in California. Part of the reasoning of having the evaluations in open session is because any delegation of authority that's established in statute, then whoever that authority gets delegated to, they become a public body. You can't delegate the authority for an evaluation to a subcommittee because then that subcommittee becomes a public body that then has to have an open meeting. Not only the general formation of subcommittees but any time you delegate those specifically outlined authorities that are in statute.

Mr. Marshall said even though it's not an official committee of the Governing Board or a public body, even the Advisory Planning Commission is subject to the OML. They create a subcommittee either informally or formally, the open meeting law applies.

(Presentation continued)

Under the Nevada Open Meeting Law there's multiple ways of providing legal public comment. It's either at the beginning of the meeting, with each agenda item, or at the end of the meeting but you have to provide some opportunity to provide public comment prior to taking action. That's either by a general public comment period in the beginning or specific comment periods with each item then you need to provide a subsequent comment period for items not on the agenda. The Agency provides the public with the ability to comment on each item and then a general public comment period at the end.

Rules of Procedure 2.16. We don't follow the Nevada or California Open Meeting Law regarding the video/teleconferencing policy.

Board Comments & Questions

Mr. Settelmeyer said with the remote participation capped at five times per year, how does that apply if he's going to be a little late or has to leave early because of a meeting and he calls in to ensure a quorum, does that teleconferencing time constitute it being a remote meeting.

Mr. Marshall said if you make it to TRPA, it doesn't count against the five remote meetings.

Mr. Marshall said a violation of our obligations to be consistent with the Nevada Open Meeting Law can result in an invalidation of an action. It has great consequences for the work and effort of everyone to bring an item to adoption. A violation could be of technical nature or if it's a substantive violation then potential remedy is that the action is invalidated. Nevada Open Meeting Law has both

civil and criminal penalties for violations. He takes the position that those things are not incorporated within the Compact's outreach or what meetings should be open but can't say that would be a defense to a board members intentional violation of the Nevada Open Meeting Law while sitting as a TRPA Board Member.

Ms. Aldean asked if there are any open complaints with the Attorney General's Office.

Mr. Marshall said yes. We have one from Doug Flaherty that has been with the AG's office for a year plus. It seems the Open Meeting Law complaints are very slow these days probably because of the resources available to the Attorney General. He's been in contact with the Deputy Attorney General who is doing the work, so far nothing particularly negative coming out of that. There may be some suggestions for better aigenizing or something like that.

Mr. Di Chiara said there are two pieces of legislation moving in the Nevada Legislative session that will affect the Open Meeting Law; Assembly Bill 52 and 219. AB 219 mostly relates to public meetings that do are not being held with in person component. In AB 52, if there is a vacancy of a public body, that vacancy would not count towards the quorum. It would make it easier in terms of the Nevada Meeting Law to have a quorum if there was a vacancy if someone wasn't elected or appointed. Both of these bills have passed at least one house in a bipartisan fashion.

Mr. Marshall said it wouldn't apply only because the Compact specifically sets our quorum rules. That would pre-empt that flexibility that might be provided.

Mr. Di Chiara said there are a few items in one of those bills that relate to noticing.

Ms. Laine said if you comment on someone's Facebook page for example, two days before a City Council meeting another member makes a comment on Facebook and then she comments later, and then a week later the Mayor comments, is that considered a violation of serial communication?

Mr. Marshall said this test is really functional, not so much what specific mechanism you are using. Whether it's social media or texting each other, if what in essence they are doing is communicating and deliberating then it counts. The aggregate of that comment list over time can have the same function as calling someone up. Because it's not face-to-face or because it's on a public social media account, it doesn't matter. It's the function of what's happening that you need to look at.

Ms. Laine said if you have a Facebook account in your official capacity, and someone writes something on you Facebook page that you either don't agree with or didn't solicit and you hide it or delete, is that considered a violation of a constituent's first amendment, right?

Mr. Marshall said that's a fairly complicated analysis, but he doesn't think so unless a court has held that your public Facebook account is a public forum. You could compare it to an open meeting or something else that the government is sponsoring as a public forum then first amendment rights apply. He would have to know more about the specifics to say whether or not there's a specific first amendment problem with deleting something that was posted.

Ms. Laine said she mentions it because this social media realm has taken off and we have to be careful as members of the TRPA Board or other capacities about what you put out there and think about how it could be perceived.

Mr. Marshall said the other thing you need to be careful about is public records. By creating your public facing or any website, if you are conducting the public's business on that website and you create a record, you can delete it if you do it consistent with your public records policy. But the drafting of it potentially becomes a public record then there is another set of laws that apply to public records that can also lead to violations of maintaining or having to respond and provide public records in that instance.

(Presentation continued)

Mr. Marshall said the Compacts ethic requirements compared to Nevada and California Code of Ethics are relatively sparse. In Article 3, of the Compact there's a general requirement that no member or employee of the Agency shall make or attempt to influence an Agency decision in which they know or have reason to know that they have an economic interest. Members or employees of the Agency must disqualify themselves from making or participating in a matter of the Agency when it's reasonably foreseeable that decision will have a material effect that's distinguishable from its effect on the public generally on the economic interest of the member or employee. For TRPA's purpose of an economic interest is fundamentally income generated in the basin, real estate or other investments in the basin. Source of income and if you are a director or officer, partner, trustee, or employee of a business operating in the basin. If there's something we are doing that might affect it, please contact him and they can discuss their ethical obligations and whether or not their participation creates a conflict of interest and what needs to be disclosed. Recent press on Supreme Court Justices and what they can do, doesn't apply to us, don't take that as precedent.

Board Comments & Questions

Ms. Diss asked if there was an example of indirect versus direct. If the business entity or real property in which the member or employee had a direct or indirect investment.

Mr. Marshall said direct is going to be something like being paid. An indirect would be something that affects that business that pays you.

Ms. Aldean said for people who may have an interest in the Tahoe Basin, for example when the Agency was considering the Shoreline Ordinances and some of them had buoys. The test was whether or not they would benefit anymore than anyone else in a similar situation and disclosure was only required and not recusing oneself.

Mr. Marshall said correct.

(Presentation continued)

Mr. Marshall said ex parte contact is meeting or communicating with somebody outside the context of a public meeting. It's information that the public does not have the opportunity to share. In general, there's a division between quasi-legislative matters and quasi-adjudicatory matters. Quasi-legislative is when you are adopting general rules such as master plans, regional plans, and sort of planning document. Quasi-adjudicatory is when you are applying those rules to a specific factual circumstance. Most often for us it's a permitting decision to get a pier. That is a permitting decision, a quasi-adjudicatory action that you are applying specific codified criteria to a specific set of facts.

Adoption of the Washoe County Area Plan is a legislative action. In Homewood there is a master plan

which is a legislative document and there is a permit that was issued underneath that master plan. You start to talk to somebody about whether or not they should amend the master plan and at the same time maybe you are talking about whether or not the permit should be revised. Always error on the stricter policy. If it's close to a quasi-adjudicatory action assume that those are the rules that are going to apply. If it's clearly something like a planning level document, then that's generally a quasi-legislative matter. If it's quasi-legislative, it's okay and probably encouraged to have discussions with interested folks on the legislation before you and you don't have to disclose an ex parte contact regarding quasi legislative matters. You may choose to, but you are not obligated to.

Board Comments & Questions

Mr. Hoenigman said his understanding from the Keep Homewood Public folks is that they've been contacting the Board members. Is it correct that would that have to be disclosed?

Mr. Marshall said correct. You would disclose at the time you take action.

Mr. Hoenigman said as a board member, they should be speaking with the public about a lot of different things. But would also need to disclose that.

Mr. Marshall said generally yes, but there is a feeling for quasi-adjudicative matters, having ex parte contacts is not appropriate. There are people who choose not to have ex parte contacts for quasi-adjudicatory matters because you are communicating about something specific that the public doesn't have access to. What is reflected is the ability of decision makers to make a decision based on the public record, that's what you are obligated to do. If you are having contacts outside of the public record and not disclosing and summarizing what those contacts are then you could potentially be relying on something that the public doesn't have the ability to comment on or to know about. You would need to disclose those contacts at the time. At some point, we can discuss conflicts of interest and what point for due process reasons, you should not participate. Countervailing to that an obligation to participate and shouldn't recuse because of inconvenience. Particularly with project votes because you need a super majority of Board members for a project vote. If you unreasonably recuse yourself, that could have a significant impact on the ability or the Agency to approve projects whether it's economic development projects or environmental restoration projects.

Ms. Aldean said for the TRPA Governing Board members who are elected officials, part of their job is listening to their constituents. Say there is a controversial project, and you receive a myriad of phone calls and emails, is it incumbent upon us to keep track of everyone we discuss a project with and disclose that at the meeting prior to the vote?

Mr. Marshall said there is a difference between responding to an email and receiving an email. It's not an ex parte contact if people send you comments.

Ms. Aldean said but what if you are expected to respond?

Mr. Marshall said if you are responding, if there's a discussion, then yes you should be keeping track of those to disclose them.

Ms. Gustafson asked if the ex parte contacts statement be added to the cheat sheet as appropriate.

Ms. Gustafson asked Mr. Marshall if he could talk about the written public comment. She's assuming

that when the Board members receive these and staff are copied that staff is keeping track of them for the public record. She received an email from Mr. Chain threatening to sue her because his comments were not made part of the record yet.

Mr. Marshall said there is a difference between what the public record is and public documents or public records. Something that is sent to you is a public record. The Agency keeps it and if someone requests it, we'll provide it to them. If it's submitted to us in response to an agenda item, then it becomes part of the public record for this meeting. There may be some expectation that once you submit something to the Governing Board, no matter what it is, it needs to be posted on our website. Maybe that's what they are trying to get at, is its now part of the public record and am going to sue because it hasn't been posted yet. That is a different question for us to handle on a case by case basis.

Mr. Settelmeyer said if you follow the rules to its absolute conclusion, we'll never be able to do any business. There has to be some reasonableness within this discussion. If things are sent to an individual in an individual capacity, that is far different, that gets you into the question of is it quasi-adjudicative? That's the question to him at heart, not if it is a legislative matter. We have to keep that separate in our minds because if it's just a regular matter that we're voting upon, people are contacting us and sending emails. In a legislative context, one time, he received 6,000 emails in one day.

Presentation: <https://www.trpa.gov/wp-content/uploads/Agenda-Item-No-VIII-B-1-Review-of-Compact-Open-Meeting-Law-and-Conflict-of-Interest-Requirements.pdf>

IX. GOVERNING BOARD MEMBER REPORTS

Ms. Gustafson said she'll be out for the June meeting and will definitely need the California Board members here. Vice Chair, Ms. Williamson, will run the meeting.

Ms. Regan said Mr. Rice had surgery and that is why he wasn't able to attend today.

Ms. Regan said she and Ms. Chevallier met with Erick Walker, Lake Tahoe Basin Management Unit Forest Supervisor on Monday and discussed the Third Creek and Incline Lake project.

X. COMMITTEE REPORTS

A. Local Government & Housing Committee

Ms. Hill said the Tahoe Living Working Group met in April to further develop height, density, and coverage amendments and their focus on making deed restricted housing more financially feasible. The next step is to give a briefing on these amendments to the Local Government & Housing Committee on June 14. The changes will go to the Governing Board in the Fall.

B. Legal Committee

None.

C. Operations & Governance Committee

None.

D. Environmental Improvement, Transportation, & Public Outreach Committee

None.

E. Forest Health and Wildfire Committee

None.

F. Regional Plan Implementation Committee

None.

XI. PUBLIC INTEREST COMMENTS

Steve Dolan said earlier today he distributed a 3-page handout at the dais. It is a map of Third Creek in Incline Village with its tributaries. Third Creek has become the number one most important creek on Lake Tahoe. It has recently in 2022 become the only recognized habitat for the threatened species Lahontan cutthroat trout. That was stated by Craig Oehrli who is a Lake Tahoe Basin Management Unit Forester. At the Seven Springs Fork there is a tiny meadow which is the one being talked about in the email he provided with the You Tube, Lake Tahoe Basin BMP violations connection. That meadow is where the things are happening. The other thing about the importance of Third Creek is Dr. Laney Galen in 2018 determined that Third Creek and Incline Creek one hundred yards from it are the two most genetically important creeks on the lake because they never go dry. They've maintained this historical life process.

The US Forest Service, at least in the past up until this year, has said that Third Creek is not habitat for the Lahontan Cutthroat Trout, now they have to because now it's their own determination. That might change the permit that TRPA has released to them on the basis that it is not Lahontan Cutthroat Trout. The rest of this document deals not only with that but the request to stop that meadow work. He's been asked by many including some Board members who he has spoken with at the US Forest Service. There were five foresters over three years managing that area. On this team thing, those are the people who have witnessed everything that's claimed in the video. He would like to see the permit reviewed and stop the work at the meadow for 2023.

Doug Flaherty, TahoeCleanAir.org said the US Forest Service handling and monitoring of this project that Mr. Dolan spoke about is unacceptable. They're devastating that entire Incline Lake area. Not to mention that the Toiyabe National Forest completely disregards the whole Mount Rose Corridor as far as looking after some of the environmental issues going on up there. If there's any way that TRPA can weigh in on a personal level if you can't stop the permit, make some calls and get this straightened out. One of the reasons they are in this position is because TRPA in the past has shed its responsibilities of oversight and monitoring by signing these Memorandums of Understanding. Once they do that, the Forest Service is on its own merit to follow the regulations. We can't rely on them to look after the environmental interest of the Compact in the Lake Tahoe Basin. From a reasonable standpoint, please do your best to stop this permit and get this cleaned up.

XII. ADJOURNMENT

Ms. Aldean moved to adjourn.

Ms. Gustafson adjourned the meeting at 5:00 p.m.

Respectfully Submitted,



Marja Ambler
Clerk to the Board

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

DRAFT



STAFF REPORT

Date: June 21, 2023
To: TRPA Governing Board
From: TRPA Staff
Subject: May Financial Statements, Fiscal Year 2023

Summary and Staff Recommendation:

We are eleven months, or 92% of the way into the 2023 fiscal year. All expenditures are within budget and revenues are at or exceeding projections.

Staff recommends acceptance of the May Financial Statements for Fiscal Year 2023.

Required Motion:

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

- 1) A motion to accept the May 2023 Financial Statements

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

Background:

The first eleven months (92%) of the fiscal year are now complete. Revenues are 81% of the annual budget, and expenditures at 70% of the budget. Revenues are a little behind due to grants (billed in arrears) and Planning Fees, while they remain high, have dropped in the last five months.

We have added a draft dashboard as the first page of the attachment.

YTD Revenues and Expenses

Revenues are 81% of the budget. We recognize revenue when billed, so the states' contributions are shown in their entirety. TRPA will spend down the balance over the rest of the fiscal year. The remaining unbilled State funding is for the Tahoe Science Advisory Commission (TSAC). That is billed as spent, like a grant. Fees for services are strong, matching prior years. This includes Current Planning fees, AIS fees, and Shoreline fees. Current Planning Fees are 95% of the average for the prior 3 years and are 86% of the budget. Project applications have been down over the last five months, but we are seeing an uptick in pre-application filings. AIS fees are at

101% of the budget. Inspection stations are fully operational. Shoreline fees are at 63% of budget, most of the buoy fees are due in June of 2023.

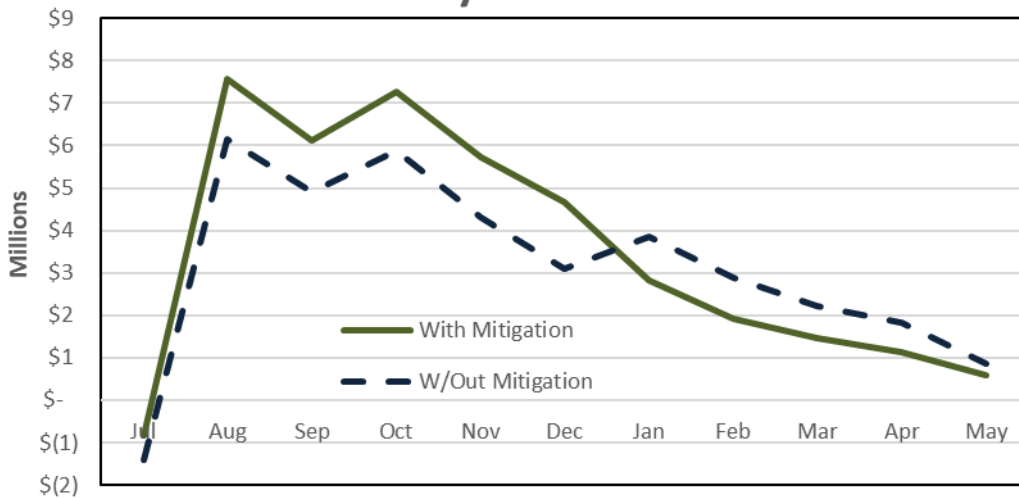
Expenditures are 70% of the budget. Compensation expenses are at 85% of the annual budget, with three payrolls (11%) remaining. Contract expenses are running behind at 56% due to normal lags in payment cycles.

Revenue	State & Local	Fees	Grants	Total
Fees for Service	27,826	3,713,730		3,741,555
Grants	5,250	6,315	5,770,160	5,781,725
State Revenue	7,240,763		476	7,241,239
Local Revenue	150,000			150,000
Rent Revenue		301,771		301,771
Other Revenue	347,395	12,479		359,874
TRPA Rent Revenue		631,565		631,565
Revenue Total	7,771,234	4,665,860	5,770,636	18,207,729
Expenses				
Compensation	4,228,569	1,793,741	957,235	6,979,545
Contracts	1,358,544	1,290,963	4,549,635	7,199,141
Financing	(140)	446,503		446,363
Other	668,967	267,553	8,998	945,518
Rent	652,322	19,830		672,153
A&O/Transfers	(1,441,434)	967,945	459,107	(14,381)
Expenses Total	5,466,829	4,786,536	5,974,975	16,228,339
Net	2,304,405	(120,676)	(204,339)	1,979,390

Cash Flow

Cash flow was a negative \$0.6M for the month. Cash receipts were \$1.4 M, \$0.3 M from Grants, \$0.1M from boat inspection fees and the balance from planning fees including mitigation. Disbursements were \$1.9M, well above the five-year average for May. Year to date disbursements are 51% above the five-year average due to the LTRA funding.

Monthly Cum Cash Flow



TRPA Balance Sheet

TRPA's Balance Sheet remains strong due to billing and receiving both State's contributions. We spend down those funds over the course of the fiscal year. Total assets decreased by \$0.5M due to operational expenditures over revenue. Liabilities increased by \$0.3M mostly due to a \$0.4M increase in mitigation funds. Securities increased by \$0.1M, prepaid Benefits declined \$0.1M, and Deferred Revenue dropped by \$0.2M Net assets decreased by \$0.8 M.

	TRPA	Grants	Trust	Total
Cash & Invest	7,981,918	2,211,783	22,594,852	32,788,553
A/R	226,382	321,832		548,214
Current Assets	194,449			194,449
LT Assets	8,260,523			8,260,523
Total Assets	16,663,272	2,533,615	22,594,852	41,791,739
A/P	(34,224)			(34,224)
Benefits	880,741			880,741
Deferred Rev	84,900	78,006		162,906
Deposits	150,370	2,845		153,215
LT Debt	8,198,000			8,198,000
Mitigation			906,632	906,632
Securities			6,555,182	6,555,182
Total Liabilities	9,279,788	80,851	7,461,814	16,822,452
Net Position	7,383,484	2,452,764	15,133,038	24,969,286

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

Contact Information:

For questions regarding this agenda item, please contact Chris Keillor, Finance Director at (775) 589-5222 or ckeillor@trpa.gov.

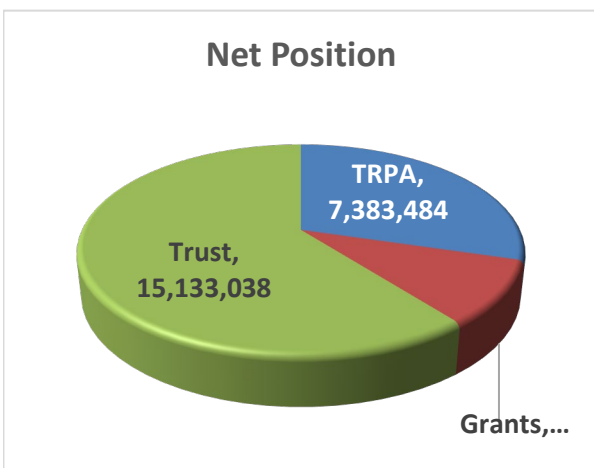
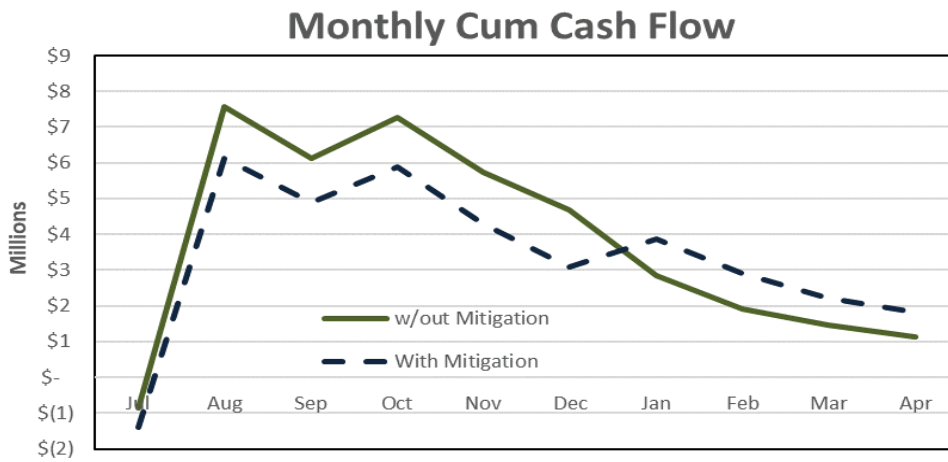
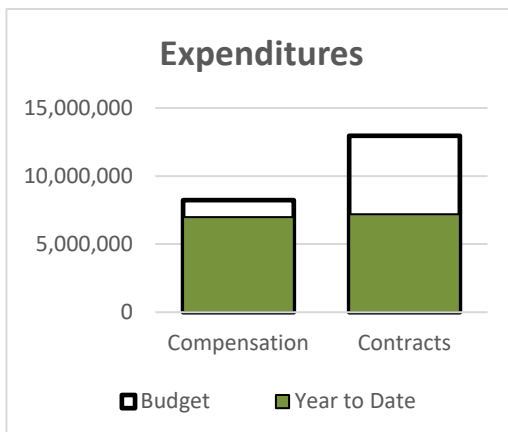
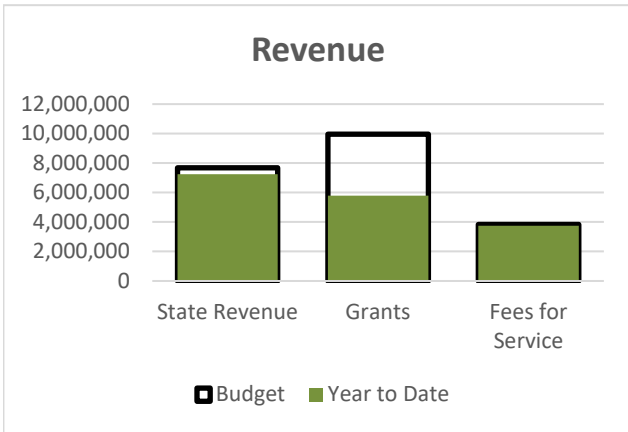
Attachment:

A. May Financial Statements

Attachment A

May Financial Statements

Tahoe Regional Planning Agency
Fiscal YTD May 2023



TRPA Selected Current Planning Fees

Fiscal Year-to-Date May 2023

Fee Type	2020	2021	2022	2023	This year vs. Last 3 Years
RESIDENTIAL	342,669	573,599	638,273	552,645	34,464
OTHER_REV	92,754	284,880	337,710	279,343	40,895
COMMERCL_TA	103,123	83,222	145,806	140,441	29,723
REVISIONS	49,204	75,508	100,337	103,593	28,576
GENERAL	175,657	123,018	119,487	97,371	(42,016)
ALLOCATION	70,323	98,143	93,225	85,348	(1,882)
SECURITIES	42,047	47,474	51,786	68,703	21,601
RECR_PUBLIC	57,628	61,944	83,678	67,108	(641)
TREE_RMVL	71,345	95,807	89,630	66,555	(19,039)
FULL_SITE	54,420	78,949	76,979	62,360	(7,756)
MOORING	6,710	21,870	145,999	58,978	
SHOREZONE	187,054	139,776	157,667	44,398	
LAND_CHALL	54,861	98,952	50,389	39,754	(28,313)
SOILS_HYDRO	25,012	22,298	39,463	28,616	(308)
LLADJ_ROW	11,912	17,459	11,368	28,408	14,828
GRADE_EXCEPT	23,730	22,512	29,046	21,896	(3,200)
IPES	682	21,575	14,307	19,286	7,097
LAND_CAP	18,332	19,488	14,057	18,360	1,068
VB_USE	14,124	3,885	5,401	15,079	7,276
PRE-APP	3,020	3,933	6,155	13,623	9,254
GRADING	11,283	12,919	11,860	11,981	(40)
QUAL_EXEMPT	7,843	9,579	7,867	11,455	3,025
ENFORCEMNT	56,151	63,789	65,587	11,273	(50,570)
VB_COVERAGE	12,018	17,442	10,076	9,975	(3,203)
PARTIAL_SITE	6,172	9,584	7,318	7,841	150
TRANS_DEV	7,810	32,559	22,196	6,284	(14,571)
STD	12,751	(567)	13,789	6,142	(2,515)
NOTE_APPEAL	2,749	7,034	5,218	5,558	558
MONITORING	4,919	10,000	(2,500)	5,141	1,001
TEMP_USE	3,776	2,797	4,855	5,005	1,196
CEP				4,995	4,995
QE SHOREZONE	5,376	5,307	6,428	4,512	(1,192)
CONSTR_EXT	1,880	3,138	3,837	3,427	475
SUBDIV_EXIST	3,364	981	6,426	2,285	(1,305)
SIGNS	2,414	3,258	3,714	2,119	(1,010)
UNDRGRD_TANK	4,915	2,047	860	1,360	(1,247)
HISTORIC		1,105	1,198	1,198	430
LMTD_INCENT	1,745	1,461	756	1,144	(177)
RES_DRIVE	1,176	1,656	434	886	(203)
STD2			521	456	282
ENVIRONMENT			8,280		(2,760)
SCENIC_ASSES	400		546		(315)
STD3	4,823				(1,608)
AMEND_PLAN	4,626				(1,542)
AMEND_COMP	2,647				(882)
Totals	1,563,444	2,078,381	2,390,028	1,914,900	(95,718)

95%

TRPA Detailed Financials
Fiscal YTD May 2023

Row Labels	Ann Budget	YTD	Remaining	Percent Spent
Agency Mgmt				
GF Revenue				
Revenue				
Fees for Service	0	(27,826)	27,826	
State Revenue	(6,232,422)	(6,251,081)	18,659	100.3%
Local Revenue	(150,000)	(150,000)	0	100.0%
Other Revenue	0	(344,759)	344,759	
Revenue Total	(6,382,422)	(6,773,665)	391,243	106.1%
GF Revenue Total	(6,382,422)	(6,773,665)	391,243	106.1%
Gov Board				
Expenses				
Contracts	1,000	3,600	(2,600)	360.0%
Other	16,813	19,272	(2,459)	114.6%
Rent	2,249	800	1,449	35.6%
Expenses Total	20,062	23,672	(3,610)	118.0%
Gov Board Total	20,062	23,672	(3,610)	118.0%
Executive				
Expenses				
Compensation	716,698	683,357	33,341	95.3%
Other	4,758	7,809	(3,052)	164.1%
Expenses Total	721,456	691,167	30,289	95.8%
Executive Total	721,456	691,167	30,289	95.8%
Legal				
Expenses				
Compensation	301,309	282,899	18,411	93.9%
Contracts	113,654	58,016	55,638	51.0%
Other	5,732	2,291	3,440	40.0%
Expenses Total	420,695	343,206	77,489	81.6%
Legal Total	420,695	343,206	77,489	81.6%
Communications				
Revenue				
Other Revenue	0	(2,637)	2,637	
Revenue Total	0	(2,637)	2,637	
Expenses				
Compensation	234,160	250,646	(16,486)	107.0%

TRPA Detailed Financials
Fiscal YTD May 2023

Row Labels	Ann Budget	YTD	Remaining	Percent Spent
Contracts	20,000	57,189	(37,189)	285.9%
Other	22,664	33,233	(10,569)	146.6%
Expenses Total	276,824	341,068	(64,244)	123.2%
Communications Total	276,824	338,431	(61,608)	122.3%
Finance				
Revenue				
Financing	0	(140)	140	
Revenue Total	0	(140)	140	
Expenses				
Compensation	429,431	461,859	(32,428)	107.6%
Contracts	52,055	45,363	6,692	87.1%
Other	293	2,248	(1,954)	766.4%
Expenses Total	481,779	509,469	(27,690)	105.7%
Finance Total	481,779	509,329	(27,550)	105.7%
HR				
Expenses				
Compensation	262,672	244,442	18,230	93.1%
Contracts	127,782	96,547	31,235	75.6%
Other	63,205	52,583	10,622	83.2%
Expenses Total	453,659	393,571	60,087	86.8%
HR Total	453,659	393,571	60,087	86.8%
Agency Mgmt Total	(4,007,948)	(4,474,289)	466,341	111.6%
Current Planning				
Current Planning				
Revenue				
Fees for Service	(2,243,563)	(1,923,278)	(320,285)	85.7%
Revenue Total	(2,243,563)	(1,923,278)	(320,285)	85.7%
Expenses				
Compensation	1,262,743	1,250,391	12,352	99.0%
Contracts	430,540	377,451	53,090	87.7%
Financing	49,087	39,785	9,302	81.0%
Other	5,485	140	5,345	2.5%
A&O/Transfers	729,360	696,718	32,642	95.5%
Expenses Total	2,477,214	2,364,483	112,731	95.4%

TRPA Detailed Financials
Fiscal YTD May 2023

Row Labels	Ann Budget	YTD	Remaining	Percent Spent
Current Planning Total	233,652	441,205	(207,554)	188.8%
Current Planning Reimbursed				
Revenue				
Fees for Service	(150,000)	(583,849)	433,849	389.2%
Revenue Total	(150,000)	(583,849)	433,849	389.2%
Expenses				
Contracts	118,000	165,725	(47,725)	140.4%
Expenses Total	118,000	165,725	(47,725)	140.4%
Current Planning Reimbursed Total	(32,000)	(418,124)	386,124	1306.6%
Code Enforcement				
Expenses				
Compensation	389,139	349,675	39,464	89.9%
Other	7,360	3,266	4,094	44.4%
A&O/Transfers	224,767	194,839	29,928	86.7%
Expenses Total	621,266	547,780	73,486	88.2%
Code Enforcement Total	621,266	547,780	73,486	88.2%
Boat Crew				
Revenue				
State Revenue	(124,000)	(124,000)	0	100.0%
Revenue Total	(124,000)	(124,000)	0	100.0%
Expenses				
Compensation	94,977	44,492	50,485	46.8%
Other	40,076	59,276	(19,200)	147.9%
Rent	0	3,600	(3,600)	
Expenses Total	135,053	107,368	27,685	79.5%
Boat Crew Total	11,053	(16,632)	27,685	
Settlements				
Revenue				
Fees for Service	(150,000)	(9,000)	(141,000)	6.0%
Grants	(3,600)	(3,000)	(600)	83.3%
Revenue Total	(153,600)	(12,000)	(141,600)	7.8%
Expenses				
Contracts	138,993	100,500	38,493	72.3%
Other	20,600	0	20,600	0.0%

TRPA Detailed Financials
Fiscal YTD May 2023

Row Labels	Ann Budget	YTD	Remaining	Percent Spent
Expenses Total	159,593	100,500	59,093	63.0%
Settlements Total	5,993	88,500	(82,508)	1476.8%
Legal - Direct or Disallowed				
Revenue				
Fees for Service	0	(167,442)	167,442	
Revenue Total	0	(167,442)	167,442	
Expenses				
Contracts	32,000	20,031	11,969	62.6%
Fees for Service	0	96,666	(96,666)	
Expenses Total	32,000	116,697	(84,697)	364.7%
Legal - Direct or Disallowed Total	32,000	(50,745)	82,745	-158.6%
Shorezone				
Revenue				
Fees for Service	(440,000)	(278,333)	(161,667)	63.3%
Other Revenue	0	(12,192)	12,192	
Revenue Total	(440,000)	(290,525)	(149,475)	66.0%
Expenses				
Compensation	266,037	67,079	198,958	25.2%
Contracts	71,218	39,558	31,660	55.5%
Financing	6,201	7,015	(814)	113.1%
Other	5,064	9,365	(4,301)	184.9%
Rent	0	4,086	(4,086)	
A&O/Transfers	153,663	37,376	116,286	24.3%
Expenses Total	502,183	164,479	337,704	32.8%
Shorezone Total	62,183	(126,046)	188,229	-202.7%
Current Planning Total	934,146	465,939	468,206	49.9%
Envir. Imp.				
Env. Improv.				
Expenses				
Compensation	537,118	537,784	(667)	100.1%
Contracts	21,218	1,008	20,211	4.7%
Other	5,829	8,914	(3,085)	152.9%
Expenses Total	564,165	547,706	16,459	97.1%
Env. Improv. Total	564,165	547,706	16,459	97.1%

TRPA Detailed Financials
Fiscal YTD May 2023

Row Labels	Ann Budget	YTD	Remaining	Percent Spent
CA Gen Fund AIS Prevention				
Revenue				
State Revenue	(375,000)	(375,000)	0	100.0%
Revenue Total	(375,000)	(375,000)	0	100.0%
Expenses				
Contracts	375,000	379,777	(4,777)	101.3%
Expenses Total	375,000	379,777	(4,777)	101.3%
CA Gen Fund AIS Prevention Total	0	4,777	(4,777)	
NV Gen Fund AIS Prevention & Control				
Revenue				
State Revenue	(375,000)	(375,000)	0	100.0%
Revenue Total	(375,000)	(375,000)	0	100.0%
Expenses				
Compensation	68,586	80,757	(12,171)	117.7%
Expenses Total	68,586	80,757	(12,171)	117.7%
NV Gen Fund AIS Prevention & Control Tot	(306,414)	(294,243)	(12,171)	
USFS LTRA Ski Run Marina				
Revenue				
Grants	(187,875)	(4,514)	(183,361)	2.4%
Revenue Total	(187,875)	(4,514)	(183,361)	2.4%
Expenses				
Compensation	58,872	5,416	53,455	9.2%
Contracts	95,000	0	95,000	0.0%
A&O/Transfers	34,004	3,018	30,986	8.9%
Expenses Total	187,876	8,434	179,442	4.5%
USFS LTRA Ski Run Marina Total	1	3,920	(3,919)	
USFS Lake Tahoe West - P3				
Revenue				
Grants	(35,850)	0	(35,850)	0.0%
Revenue Total	(35,850)	0	(35,850)	0.0%
Expenses				
Compensation	22,724	0	22,724	0.0%
A&O/Transfers	13,126	0	13,126	0.0%

TRPA Detailed Financials
Fiscal YTD May 2023

Row Labels	Ann Budget	YTD	Remaining	Percent Spent
Expenses Total	35,850	0	35,850	0.0%
USFS Lake Tahoe West - P3 Total	(0)	0	(0)	0.0%
BMP Enforcement in NV (NV 319)				
Revenue				
Grants	(136,228)	(6,100)	(130,128)	4.5%
Revenue Total	(136,228)	(6,100)	(130,128)	4.5%
Expenses				
Compensation	56,465	11,527	44,938	20.4%
Contracts	60,000	0	60,000	0.0%
A&O/Transfers	19,763	4,035	15,728	20.4%
Expenses Total	136,228	15,562	120,666	11.4%
BMP Enforcement in NV (NV 319) Total	(1)	9,462	(9,463)	
Stormwater Planning Support				
Revenue				
Fees for Service	(70,079)	(58,895)	(11,184)	84.0%
Revenue Total	(70,079)	(58,895)	(11,184)	84.0%
Expenses				
Compensation	0	70,015	(70,015)	
Other	691	701	(10)	101.4%
A&O/Transfers	0	39,012	(39,012)	
Expenses Total	691	109,728	(109,037)	
Stormwater Planning Support Total	(69,388)	50,833	(120,221)	-73.3%
Lahontan Caldor Fire Monitoring				
Revenue				
Grants	(118,380)	(1,843)	(116,537)	1.6%
Revenue Total	(118,380)	(1,843)	(116,537)	1.6%
Expenses				
Compensation	2,380	1,954	426	82.1%
Contracts	116,000	122,167	(6,167)	105.3%
A&O/Transfers	0	0	0	
Expenses Total	118,380	124,121	(5,741)	104.8%
Lahontan Caldor Fire Monitoring Total	0	122,278	(122,277)	
NDF Healthy Forest/Lake				

TRPA Detailed Financials
Fiscal YTD May 2023

Row Labels	Ann Budget	YTD	Remaining	Percent Spent
Revenue				
Grants	(88,300)	0	(88,300)	0.0%
Revenue Total	(88,300)	0	(88,300)	0.0%
Expenses				
Compensation	55,874	13,434	42,440	24.0%
A&O/Transfers	32,426	7,486	24,940	23.1%
Expenses Total	88,300	20,920	67,380	23.7%
NDF Healthy Forest/Lake Total	(0)	20,920	(20,920)	
(CLOSED) 208 Plan - NDEP				
Expenses				
Compensation	0	6,234	(6,234)	
A&O/Transfers	0	3,474	(3,474)	
Expenses Total	0	9,708	(9,708)	
(CLOSED) 208 Plan - NDEP Total	0	9,708	(9,708)	
BMP Enforcement in CA (CA 319)				
Revenue				
Grants	0	(185)	185	
Revenue Total	0	(185)	185	
Expenses				
Compensation	0	413	(413)	
A&O/Transfers	0	48	(48)	
Expenses Total	0	461	(461)	
BMP Enforcement in CA (CA 319) Total	0	276	(276)	
League to Save Lake Tahoe Rev				
Revenue				
Grants	0	(49,451)	49,451	#DIV/0!
Revenue Total	0	(49,451)	49,451	#DIV/0!
League to Save Lake Tahoe Rev Total	0	(49,451)	49,451	#DIV/0!
Envir. Imp. Total	188,363	426,186	(237,823)	226.3%
L RTP				
Long Range & Transp. Planning				
Revenue				
Grants	0	(5,250)	5,250	

TRPA Detailed Financials
Fiscal YTD May 2023

Row Labels	Ann Budget	YTD	Remaining	Percent Spent
Revenue Total	0	(5,250)	5,250	
Expenses				
Compensation	610,187	546,228	63,958	89.5%
Contracts	161,000	26,258	134,742	16.3%
Other	2,249	5,946	(3,697)	264.4%
Rent	0	1,895	(1,895)	
Expenses Total	773,435	580,327	193,108	75.0%
Long Range & Transp. Planning Total	773,435	575,077	198,358	74.4%
TMPO				
Expenses				
Contracts	93,649	30,534	63,115	32.6%
Other	23,996	19,394	4,602	80.8%
Rent	325	0	325	0.0%
Expenses Total	117,969	49,928	68,041	42.3%
TMPO Total	117,969	49,928	68,041	42.3%
L RTP Total	891,405	625,005	266,400	70.1%
R & A				
Research & Analysis				
Expenses				
Compensation	1,115,787	990,911	124,876	88.8%
Contracts	1,269,140	294,585	974,555	23.2%
Other	4,541	9,037	(4,496)	199.0%
Expenses Total	2,389,468	1,294,532	1,094,935	54.2%
Research & Analysis Total	2,389,468	1,294,532	1,094,935	54.2%
Nearshore Trib Monitoring (Lahontan)				
Revenue				
Grants	(214,001)	(155,698)	(58,303)	72.8%
Revenue Total	(214,001)	(155,698)	(58,303)	72.8%
Expenses				
Compensation	4,749	2,619	2,130	55.1%
Contracts	209,252	268,036	(58,784)	128.1%
A&O/Transfers	0	0	0	
Expenses Total	214,001	270,655	(56,654)	126.5%
Nearshore Trib Monitoring (Lahontan) Total	(0)	114,957	(114,957)	

TRPA Detailed Financials
Fiscal YTD May 2023

Row Labels	Ann Budget	YTD	Remaining	Percent Spent
Lake Tahoe West GIS Support				
Revenue				
State Revenue	(250,000)	(476)	(249,524)	0.2%
Revenue Total	(250,000)	(476)	(249,524)	0.2%
Expenses				
Contracts	250,000	0	250,000	0.0%
Other	0	751	(751)	
Expenses Total	250,000	751	249,249	0.3%
Lake Tahoe West GIS Support Total	0	275	(275)	
Lahontan Lakewide Survey				
Revenue				
Grants	0	(257)	257	
Revenue Total	0	(257)	257	
Expenses				
Compensation	0	810	(810)	
Expenses Total	0	810	(810)	
Lahontan Lakewide Survey Total	0	552	(552)	
R & A Total	2,389,467	1,410,316	979,151	59.0%
Infrastructure				
General Services				
Expenses				
Compensation	96,148	92,009	4,139	95.7%
Contracts	26,723	822	25,902	3.1%
Other	103,722	88,826	14,896	85.6%
Rent	688,980	631,565	57,415	91.7%
Expenses Total	915,574	813,222	102,352	88.8%
General Services Total	915,574	813,222	102,352	88.8%
IT				
Expenses				
Contracts	256,925	220,631	36,294	85.9%
Other	209,305	342,158	(132,853)	163.5%
Expenses Total	466,230	562,790	(96,559)	120.7%
IT Total	466,230	562,790	(96,559)	120.7%

TRPA Detailed Financials
Fiscal YTD May 2023

Row Labels	Ann Budget	YTD	Remaining	Percent Spent
Building				
Revenue				
Other Revenue	0	(287)	287	
Rent Revenue	(249,348)	(299,011)	49,663	119.9%
TRPA Rent Revenue	(688,980)	(631,565)	(57,415)	91.7%
Revenue Total	(938,328)	(930,863)	(7,465)	99.2%
Expenses				
Contracts	473,280	322,495	150,785	68.1%
Financing	546,989	388,557	158,432	71.0%
Other	29,413	100,129	(70,715)	340.4%
Expenses Total	1,049,682	811,181	238,501	77.3%
Building Total	111,353	(119,683)	231,036	-107.5%
CAM				
Revenue				
Rent Revenue	0	(2,760)	2,760	
Revenue Total	0	(2,760)	2,760	
Expenses				
Other	66,894	55,365	11,529	82.8%
Expenses Total	66,894	55,365	11,529	82.8%
CAM Total	66,894	52,605	14,289	78.6%
Infrastructure Total	1,560,051	1,308,934	251,118	83.9%
Other				
Other				
Expenses				
Compensation	328,469	0	328,469	0.0%
Other	2,173	0	2,173	0.0%
A&O/Transfers	(1,885,378)	(1,441,434)	(443,945)	76.5%
Expenses Total	(1,554,737)	(1,441,434)	(113,303)	92.7%
Other Total	(1,554,737)	(1,441,434)	(113,303)	92.7%
Other Total	(1,554,737)	(1,441,434)	(113,303)	92.7%

STAFF REPORT

Date: June 21, 2023

To: TRPA Governing Board

From: TRPA Staff

Subject: Release of City of South Lake Tahoe Operations & Maintenance (O&M) Mitigation Funds (\$25,000) for Microplastic Beach Clean Up

Staff Recommendation:

Staff recommends that the Governing Board approve The City of South Lake Tahoe’s request, subject to the conditions cited below. The request is consistent with the Environmental Improvement Program objectives, Chapter 60 of the TRPA Code of Ordinances, and the Governing Board’s policy guidelines for the release of mitigation funds.

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

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

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

Table 1 Proposed Funding Release			
EIP #	PROJECT	Fund	Amount
04.02.02.0012	Microplastic Beach Clean Up	O&M	\$25,000.00
	Total Funding Requested		\$25,000.00

Project:

The City of South Lake Tahoe, in partnership with the League to Save Lake Tahoe, is requesting O&M funds for the Microplastic Beach Clean Up Project (EIP # 04.02.02.0012). This EIP Stewardship Program Project proposes the use of innovative technology, the ECO-CLEAN Bot, to safely remove micro plastics from Lake Tahoe beaches within the City of South Lake Tahoe.

The ECO-CLEAN Bot is an all-electric, solar + battery powered beach sifting robot that sifts and cleans beaches without causing harmful degradation to the native flora and fauna. The ECO-CLEAN BOT has the ability to clean over 3,000 sq/meters of beach per hour, without emitting any fossil fuels. The project proponents, the City of South Lake Tahoe and the League to Save Lake Tahoe, believe that this tool will change the way local agencies, jurisdictions, resorts, and private residences clean their beaches.

Removal of harmful micro plastics and debris is critical to preserving Lake Tahoe and this work will help the City of South Lake Tahoe meet the statewide Trash Reduction mandates for urban stormwater discharge National Pollutant Discharge Elimination System (NPDES) permittees.

Funding Match:

Operations and maintenance fund releases requires a 1:1 local funding match. For this project, the City of South Lake Tahoe is requesting the mitigation funds be released directly to the League to Save Lake Tahoe who has already secured matching funds.

City of South Lake Tahoe – Local Funding Match			
	Mitigation Funds	Local Match	Total Budget
League to Save Lake Tahoe Funds		\$25,000	\$25,000
O&M Mitigation Funds	\$25,000		\$25,000
Total	\$25,000	\$25,000	\$50,000

The account balance for the Operations and Maintenance fund for The City of South Lake Tahoe as of March 31, 2023 is \$407,196.36 which is sufficient to cover this request.

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

1. The recipient shall only use the funds for the project cited above and as approved by TRPA.
2. TRPA reserves the right to withhold funds to ensure project priorities, goals, and objectives are consistent with those of the Environmental Improvement Program and TRPA’s Regional Plan.
3. The City agrees to follow all laws, codes, and regulations adopted by federal, state, and local authorities/agencies.
4. The City agrees to maintain a report detailing the use and expenditures of all funds used on the project. These records shall be made available for review and audit by TRPA within thirty (30) calendar days upon written request.
5. All mitigation funds not used as described above shall be returned to TRPA. Upon written approval from TRPA, these funds may be re-allocated to another project.

OPERATIONS AND GOVERNANCE
COMMITTEE AGENDA ITEM NO. 4 &
CONSENT CALENDAR ITEM NO. 2

6. These funds may not be used for design studies, environmental documents, application costs, or other pre-design tasks.
7. By acceptance of the Operations and Maintenance funds the City agrees to match these funds 1:1 with local funding.
8. The City agrees to report the applicable EIP Performance Measures achieved by this project.

Regional Plan Compliance: The proposed project is consistent with the TRPA Regional Plan and Code of Ordinances.

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

Attachment:

- A. EIP Project Fact Sheet

Attachment A

EIP Project Fact Sheet
Microplastics Beach Clean Up – City of South Lake Tahoe



Microplastics Beach Clean Up

Project Number	04.02.02.0012
Action Priority	Utilize Innovative Technology
Implementers	League to Save Lake Tahoe, ECO-CLEAN Solutions
Primary Contact	Cole Dickinson (Cole@keptahoeblue.org)
Stage	Implementation
Duration	2021 - 2026

Stewardship Program > Utilize Innovative Technology

The ECO-CLEAN Bot is an all-electric, solar + battery powered beach sifting robot that sifts and cleans beaches without causing harmful degradation to the native flora and fauna. ECO-CLEAN BOT has the ability to clean over 3,000 sq/meters of beach per hour without emitting any fossil fuels. We feel this tool will remarkably change the way local agencies, jurisdictions, resorts and private residences clean their beaches. Removal of harmful macro plastics and debris is critical to preserving our natural wonders. ECO-CLEAN SOLUTIONS is proud to announce the deployment of the BEBOT Beach Cleaner in Lake Tahoe Summer 2022.



Results photo - Lake Tahoe Summit - Sand Harbor

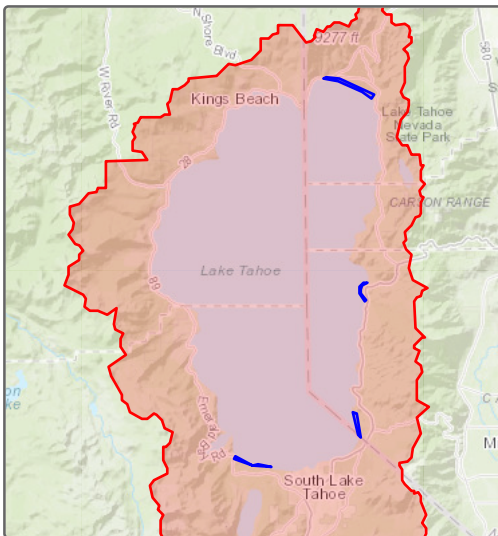
Key Accomplishments

Accomplishments to be provided upon completion of project

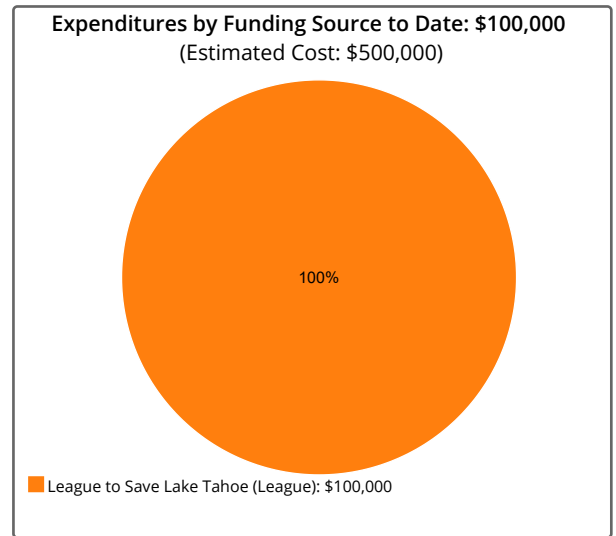
Threshold Categories

- Scenic Resources
- Wildlife

Location



Expenditures



Photos

During



BEBOT - On location at Nevada Beach



Public engagement featuring the BEBOT

After



Results photo - Camp Richardson Resort

Project Fact Sheet Data as of 06/18/



Mail

PO Box 5310
Stateline, NV 89449-5310

Location

128 Market Street
Stateline, NV 89449

Contact

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

STAFF REPORT

Date: June 21, 2023
To: TRPA Governing Board
From: TRPA Staff
Subject: Delegate authority to Executive Director to enter into contracts prior to approving the Fiscal Year 2024 TRPA budget.

Summary and Staff Recommendation:

The Fiscal Year 2024 TRPA budget will be presented to the Governing Board for approval in July. Staff recommends the Governing Board authorize the Executive Director to approve time-sensitive contracts prior to adoption of the fiscal year budget.

Required Motion:

In order to delegate this authority, the Governing Board must make the following motion based on the staff report:

- 1) A motion to authorize the Executive Director to approve contracts, not to exceed 10% in total of the FY 2023 contracts budget, prior to adoption of the FY 2024 budget.

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

Background:

The Executive Director has been designated as the Purchasing Agent for the Agency. Authority to execute new contracts is embedded in the approval of the Fiscal Year Budget. Although the full budget will not be approved until the July Governing Board meeting, there are some contracts that need to be approved prior to the meeting to carry out the Agency’s work plan.

Only time-sensitive contracts will be approved. Authority will be limited to not more than 10% in aggregate of the contract budget dollar amounts for the current Fiscal Year 2023. All the contracts approved with this delegation will be included in the proposed budget. Some are funded by Grants or Fees, so the availability of funding is not an issue.

Contact Information:

For questions regarding this agenda item, please contact Chris Keillor, Finance Director at (775) 589-5222 or ckeillor@trpa.gov.



Mail

PO Box 5310
Stateline, NV 89449-5310

Location

128 Market Street
Stateline, NV 89449

Contact

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

STAFF REPORT

Date: June 21, 2023
To: TRPA Governing Board
From: TRPA Staff
Subject: Appointment of a second Vice Chair for the June 28, 2023, Governing Board Meeting

Summary and Staff Recommendation:

Staff recommends the Governing Board approve an appointment of a second Vice Chair for the June 28 Governing Board meeting. Both the Chair and Vice Chair will be absent for a portion of the meeting and will be chaired by the second Vice Chair in their absence.

Required Motion:

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

- 1) A motion to approve an appointment of a second Vice Chair for the June 28, 2023, Governing Board meeting.

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

Contact Information:

For questions regarding this agenda item, please contact John Marshall, General Counsel, at (775) 589-5286 or jmarshall@trpa.gov.



STAFF REPORT

Date: June 21, 2023

To: TRPA Governing Board

From: TRPA Staff

Subject: Appointment of a TRPA Governing Board Delegate to the California Association of Council of Governments (CALCOG) Board of Directors

Summary and Staff Recommendation:

Governing Board appointment of delegate to represent the TRPA on the CALCOG Board of Directors. Staff recommends the Governing Board appoint a CALCOG representative from the Governing Board to represent TRPA.

Required Motions:

In order to appoint the representative, the Board must take the following action, based on the staff report:

- 1) A motion to appoint TRPA Governing Board Governing Board chair Cindy Gustafson as the TRPA delegate to serve on the CALCOG Board of Directors.

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

Background:

The California Association of Councils of Governments (CALCOG), established in 1977, is a non-profit statewide association representing 46 regional governments in California. CALCOG is the premiere forum for legislative and planning issues that involve Regional Transportation Planning Agencies (RTPAs), Metropolitan Planning Organizations (MPOs), and Councils of Government (COGs) in the State of California. The Association is an extremely valuable resource for analyzing and voicing positions on statewide policy impacting transportation and land use planning. More information is available at www.calcog.org.

The delegate position requires a commitment of attending four to six meetings per year. Most delegate meetings are in Sacramento.

Contact Information:

For questions regarding this agenda item, please contact Nick Haven, Metropolitan Planning Organization Director at (775) 589-5256 or nhaven@trpa.gov.

STAFF REPORT

Date: June 21 2023

To: TRPA Governing Board

From: TRPA Staff

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

Proposed Action:

Governing Board action on the proposed extension of the previously approved temporary use based on this staff summary and the draft permit (Attachment A).

Staff Recommendation:

Staff recommends the Governing Board approve the extension of the temporary use subject to the special conditions in the draft permit.

Required Motion:

In order to approve the proposed extension of the temporary use, the Board must make the following motion, based on the staff summary and evidence in the record:

- 1) A motion to approve the proposed extension of the Tahoe Transportation District/Washoe County School District Temporary Use, subject to the conditions in the draft permit (see Attachment A).

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

Project Description:

The Tahoe Transportation District (TTD) operates the East Shore Express (ESE) shuttle service, which provides transit service between Incline Village and the East Shore of Lake Tahoe. The ESE serves seven transit stops along the route between Incline Village and Sand Harbor Nevada State Park. The two locations affected by this permit provide parking for visitors to park and utilize the service. The old Incline Elementary School site (located at 771 Southwood Boulevard) will serve as the primary location for the service. When that parking fills up, the "overflow" will utilize the site of the current Incline Elementary School (915 Northwood Boulevard).

The proposed transit service operates seasonally between mid-June and Labor Day each year. The service operates seven days per week, between 10:00 a.m and 7:00 p.m., with a 30-minute headway. The site at 771 Southwood will be utilized throughout the service season. The 915 Northwood location will be utilized only while school is not in session. The school year begins in mid-August for Incline Village schools. After

the school year has begun, the Northwood location will be used on weekends and holidays only, and will not be utilized while school is in session.

The current proposal is to allow these two locations to be utilized as a “Transit Station and Terminal” as a temporary use. This allows the use of the sites for one season with an option to extend for a second season.

TRPA approved the temporary use for one season on May 26, 2022. The current proposal is to allow for a one-time, six-month extension, which will allow the temporary use to continue through the 2023 summer service season.

Site Description:

The primary site for this project is a campus located at 771 Southwood Boulevard, which was previously the location for Incline Elementary School. It has not been used as an official school campus for approximately ten years. This campus is bordered by Nevada State Route 28 (SR 28) on one side, multi-family residential across the street, and commercial uses adjacent to it. The overflow site is the location of the current Incline Elementary School campus (located at 915 Northwood Boulevard), and is surrounded by a variety of public service, commercial, and multi-family residential uses.

Physical improvements are not currently proposed at either location. The proposed project will utilize the existing parking spaces at each site, which will be served by the East Shore Express transit service. Temporary signage will be utilized onsite to denote pick up areas. Benches and trash receptacles will also be placed at each pick up location.

Background:

The TRPA Hearings Officer approved the proposed temporary use on May 26, 2022. The approval was appealed to the TRPA Governing Board. The TRPA Governing Board heard the appeal at its October 26, 2022 meeting. After receiving public input and discussing the potential issues identified, the appeal was not granted. The Governing Board, however, requested that some additional conditions be incorporated into the permit and asked that the proposed permit extension be brought back to the Governing Board for approval.

The issues that the Governing Board asked to be addressed before approving the permit extension are summarized below.

1. Signage: Improved signage at the project locations, and consideration of the use of changeable message signage on State Route 28 (SR 28) to notify potential customers that the parking lot at the “Old Incline Elementary School” is full, informing customers to proceed to the overflow parking available at the current Incline Elementary School.

TTD/TRPA response: TTD Staff worked with the Washoe County Sheriff’s Office and the Nevada Department of Transportation (NDOT) to pursue consideration of the placement of changeable message signs to inform customers of the East Shore Express (ESE) when the primary parking lot is full, directing customers to the overflow lot on Northwood Boulevard. NDOT would not support the use of changeable message signs for this purpose, concerned that there would be confusion between TTD signage and possible NDOT signage. NDOT does support the placement of static, temporary signage along SR 28 to accomplish the same purpose. With the support of the Nevada Highway Patrol and the Washoe County Sheriff’s Office, the TTD has applied for an encroachment permit to accommodate the placement of the temporary signage.

2. Training: Training the staff to provide accurate information, and to enforce the requirements of the permit (e.g., no parking off pavement). Additional training for Sand Harbor Nevada State Park staff (see below).

TTD/TRPA Response: The TTD has created a staff training manual that will be provided to TTD staff (drivers, parking attendants, and parking ambassadors) as well as Sand Harbor Nevada State Park staff. The training manual documents procedures for the following:

- Opening the gates to the primary parking lot.
 - Maintaining parking areas throughout the day.
 - Closing the gates at the end of the service day.
 - Redirecting customers to the overflow lot.
 - When and how to place the temporary signs redirecting customers to the overflow lot.
 - Reporting complaints/incidents.
 - Contact information for TTD and Sand Harbor Nevada State Park staff.
3. Gates: Open the gates early enough to allow customers to safely park before the first bus arrives. This will alleviate potential backup on Southwood Boulevard, which can also back up on to Nevada State Route 28.

TTD/TRPA Response: The gates to the primary parking lot on Southwood Boulevard will open at 7:00 AM each service day. A parking attendant will remain onsite once the gates are open. At least one attendant shall remain onsite while the gates are open each service day. The attendant who opens the gate in the morning will maintain the cleanliness of the site. The proposed parking attendants for the Summer 2023 service season will be double the staff used in prior years.

4. Local Law Enforcement: Although it may not be possible for Washoe County Sheriff's Office (WCSO) to ticket all illegally parked vehicles, TTD will coordinate with WCSO to address potentially unsafe parking conditions. Ultimate action will be decided by Washoe County. TTD will coordinate.

TTD/TRPA Response: TTD staff has coordinated with Captain Beard at the Washoe County Sheriff's Office and Allen Woodridge with Nevada Division of State Parks to discuss the East Shore Express 2023 service season. Although the Sheriff's Office has not committed to increased ticketing of inappropriately parked vehicles, the Sheriff's Office has committed to maintaining communication while the service is operating, so that issues can be identified early in the process and addressed appropriately. Increased staffing during the 2023 service season will provide more frequent observation and inspection, allowing for improved and more timely communication of potential issues. The process for communicating potential issues will be outlined in the training manual, a copy of which will remain onsite during service hours.

5. Public Participation: Work with local groups to get feedback on the additional Special Conditions to be incorporated. Several people mentioned the existing "Incline Village Mobility Committee" as a possible local group to present this information.

TTD/TRPA Response: The Incline Village Mobility Committee (IVMC) is comprised of public employees and local citizens, as well as elected officials. The IVMC meets on a regular basis to discuss long-term solutions related to mobility in Incline Village. In addition to the regular committee meetings, two public workshops have been held. At the April 2023 meeting, the committee discussed the proposed extension of the temporary use into the 2023 service season. Most of the feedback was related to potential long-term solutions. A copy of the staff summary is

attached as Attachment B. The IVMC meets again on June 24, 2023. The revised permit for the extension of the temporary use will be presented at that meeting.

6. Sand Harbor Nevada State Park: TTD will collaborate with Nevada Division State Parks to ensure that accurate information is supplied to their staff on a regular and real-time basis. During the 2022 season, it was reported that the Sand Harbor Nevada State Park staff had provided inaccurate information to customers coming to the park when it was already full.

TTD/TRPA Response: TTD staff coordinates with Sand Harbor Nevada State Park staff on a regular basis. This year, staff will be provided with copies of the East Shore Express Training Manual. Phone numbers for the parking attendants, road supervisors, operations supervisor, and managers will be provided to State Parks staff so communication can be maintained throughout the day, allowing for “real-time” adjustments when necessary.

7. Parking: TTD will install parking barriers to prevent vehicles from parking off-pavement onsite.

TTD/TRPA Response: TTD will install fence post stakes along the edge of pavement within the parking area, preventing vehicular parking off pavement. The fence post stakes will be driven into the ground at regular intervals, spaced to prevent off pavement vehicular parking within the gated parking area. Additionally, the parking attendants will direct customers where to park.

Item numbers 1 through 3, and 6 and 7 have been incorporated into the attached draft permit.

The public participation issue in item number 5 above has been addressed by TTD in its regular meetings of the Incline Village Mobility Committee. This item was discussed at the April 24, 2023 meeting. A copy of the committee staff summary is attached, which addresses the items of concern raised at the TRPA Appeal Hearing. This item was addressed as agenda item III.C.

Issues:

Although a one-time extension of a temporary use can usually be granted at staff level, the processing of this proposed extension of the temporary use is in response to a specific request of the TRPA Governing Board resulting from the appeal hearing held on October 26, 2022.

Contact Information:

For questions regarding this project please contact Bridget Cornell, TRPA Permitting & Compliance, by telephone at (775) 589-5218 or via email to bcornell@trpa.gov.

Attachments:

- A. Draft Permit
- B. TTD Incline Village Mobility Committee April 2023 Staff Summary: Report on the East Shore Express 2023 Season (including addressing additional Special Conditions)

Attachment A
Draft Permit

**APN 132-201-02 and 132-012-05
FILE NO. ERSP2021-0673**

Security Posted (1): Amount \$ 1,000.00 Type: ck Paid 06/23/22 Receipt No. 145600

Security Administrative Fee (1): Amount \$ 223.00 Paid 06/23/22 Receipt No. 145600

Notes:

(1) See Special Condition 3.D., below.

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 specifically authorizes a one-time, six-month extension of a previously approved temporary use at the former Incline Elementary School campus (APN 132-201-02) and the current Incline Elementary School campus (APN 132-012-05). The previously approved temporary use allows the Tahoe Transportation District (TTD) to utilize the two campuses to provide intercept parking to serve the East Shore Express (ESE) shuttle service, which provides transit service between Incline Village and the east shore of Lake Tahoe. The two locations affected by this permit provide parking for visitors to park and utilize the service. The site located at 771 Southwood Boulevard will serve as the primary location for the service. When that parking lot fills up, the "overflow" will utilize the site at 915 Northwood Boulevard. The proposed transit service operates seasonally between mid-June and Labor Day each year. The service operates seven days per week, between 10:00 AM and 7:00 PM, with a 30-minute headway. The site at 771 Southwood will be utilized throughout the service season. The 915 Northwood location will be utilized only while school is not in session.

TRPA approved the initial temporary use on May 26, 2022. The original permit allowed for the use to operate for a single season, with an option to extend for a second season. This extension would allow for the use to continue for a second season, through the 2023 summer. The current proposal is to allow these two locations to be utilized as a "Transit Station and Terminal" as a temporary use.

During the TRPA Governing Board hearing to discuss the appeal of the temporary use approval, the TRPA Governing Board recommended that a revised permit be issued incorporating several areas of concern that were raised during the appeal process. The extension of the temporary use for the 2023 summer season will include the following additional requirements of the transit service:

- The Tahoe Transportation District (TTD) shall obtain an encroachment permit from the Nevada Department of Transportation (NDOT) for temporary signage to be placed along Nevada State Route 28 to advise potential customers when the primary parking lot is full, redirecting those customers to the use of the overflow lot on Northwood Boulevard. NDOT will not allow the use of changeable message signs for this purpose. Those signs will be placed at the locations described below.
 - The south side of Nevada State Route 28 (SR 28) across from the intersection of Winding Way, to provide enough distance for drivers to redirect their route to the overflow lot before approaching the western intersection of Northwood/Southwood and SR 28.
 - The northeast side of Nevada State Route 28 (SR 28), across from the intersection with Glen Way, to provide enough distance for drivers to be redirected to the overflow lot before approaching the eastern intersection of Northwood/Southwood SR 28 and/or Village Boulevard and SR 28.
- The TTD has created a staff training manual that will be provided to TTD staff (drivers, parking attendants, and parking ambassadors) as well as Nevada Division of State Parks/Sand Harbor staff. The training manual documents procedures for
 - Opening the gates to the primary parking lot.
 - Maintaining parking areas throughout the day.
 - Closing the gates at the end of the service day.
 - Redirecting customers to the overflow lot.
 - When, where and how to place the temporary signs redirecting customers to the overflow lot.
 - Reporting complaints/incidents.
 - Contact information for TTD and Nevada State Parks/Sand Harbor staff.
- The gates to the primary parking lot on Northwood Boulevard will open at 7:00 AM. A parking attendant will remain onsite once the gates are open. At least one attendant shall remain onsite at all times during the service day.
- The TTD shall install parking barriers within the affected parking areas to prevent vehicles from parking off-pavement. Customers utilizing the onsite parking lots shall park on paved areas only.
- The TTD shall maintain ongoing communication with the Washoe County Sheriff's office to coordinate addressing unsafe conditions that may be encountered.

This permit will supplement the original project permit (issued on May 26, 2022), and addresses the concerns raised during the appeal hearing with the TRPA Governing Board on October 26, 2022.

2. The Standard Conditions of Approval listed in Attachment Q shall apply to this permit.
3. Prior to permit acknowledgement, the following conditions of approval must be satisfied.

- A. Per the proposed project description above, the placement of temporary signage will be required along Nevada State Route 28 when the primary parking location has reached its capacity. Please provide a copy of the approved Nevada Department of Transportation (NDOT) encroachment permit, approving the placement of temporary signs along State Route 28, informing potential customers when the primary lot is full.
 - B. Please provide a site plan showing the placement of these parking barriers. The TTD shall enforce parking on paved areas only.
 - C. The TTD paid a security of \$1,000.00 with the original project approval. Security shall be released upon completion of the project, and satisfaction of all permit conditions. Please see Attachment J, Security Procedures.
4. If any complaints are brought to the attention of the applicant or to TRPA while the service is in operation, these complaints shall be documented and submitted in writing to TRPA within seven calendar days of the complaint. Permittee shall explain in writing how these complaints were addressed, and any changes that were made to the project as a result.
 5. The Permittee shall prepare and submit to TRPA a report of transit operations for the service accommodated at each of these locations. This report shall include the number of days the service was in operation, the number of vehicles using each site each service day, the number of total passengers accessing the transit service from these sites each day, any reported complaints, and documentation of how complaints were addressed, consistent with Special Condition #4, above. The report shall be submitted to TRPA no later than 30 days following the last day of service for the 2022 season.
 6. This approval is for one six-month extension of the initial temporary use. No additional extensions to this permit will be granted. This permit does not authorize the permanent use or placement of structures. A separate permit for a permanent use is required if the permittee proposes to continue the use beyond the permit expiration date.
 7. Parking is limited at each location to the paved, marked spaces onsite. Customers can access the transit stop by non-vehicular modes (e.g., other transit modes, walking, biking, etc.). Any customer accessing the site by vehicle shall use the designated parking spaces only. No offsite parking is allowed. The applicant will utilize a parking attendant to ensure parking occurs in designated parking spaces only. When the primary site reaches capacity, customers will be directed to the overflow site.
 8. All temporary structures and materials shall be removed prior to expiration date.
 9. All trash shall be picked up prior to the end of daily operations.
 10. Any change to the temporary use requires approval of a TRPA plan revision permit prior to changes being made to any element of the project.
 11. This approval is based on the Permittee's representation that all plans and information contained in the subject application and associated materials are true and correct. Should any information or representation submitted in connection with the project application be incorrect or untrue, TRPA may rescind this approval, or take other appropriate action.

12. 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.
13. To the maximum extent allowable by law, the Permittee agrees to indemnify, defend, and hold harmless TRPA, its Governing Board (including individual members), its Planning Commission (including individual members), its agents, and its employees (collectively, TRPA) from and against any and all suits, losses, damages, injuries, liabilities, and claims by any person (a) for any injury (including death) or damage to person or property or (b) to set aside, attack, void, modify, amend, or annul any actions of TRPA. The foregoing indemnity obligation applies, without limitation, to any and all suits, losses, damages, injuries, liabilities, and claims by any person from any cause whatsoever arising out of or in connection with either directly or indirectly, and in whole or in part (1) the processing, conditioning, issuance, administrative appeal, or implementation of this permit; (2) any failure to comply with all applicable laws and regulations; or (3) the design, installation, or operation of any improvements, regardless of whether the actions or omissions are alleged to be caused by TRPA or Permittee.

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

END OF PERMIT

Attachment B

TTD Incline Village Mobility Committee April 2023 Staff Summary: Report on the East Shore Express 2023 Season (including addressing additional Special Conditions)



Connecting our communities

MEMORANDUM

Date: April 19, 2023

To: Tahoe Transportation District (TTD) Incline Village Mobility Committee

From: TTD Staff – George Fink, Transit System Program Manager

Subject: Informational Report on the East Shore Express 2023 Season

Action Requested:

It is requested the Committee receive an informational report on the upcoming East Shore Express (ESE) 2023 season.

Fiscal Analysis:

All expenditures associated with this item for the fiscal year are in the approved FY23 budget and proposed FY24 budget. The additional conditions required by the Tahoe Regional Planning Agency’s (TRPA) Governing Board for consideration of an extension to the permit have added significant costs to the service.

Work Program Impact:

All work associated with this effort is captured under respective elements of the approved FY23 Work Program and will be included in the FY24 work program, with corresponding allotted staff time. This project aligns with Strategic Goal SG-3 Fund and operate regional multi-modal transportation systems.

Background:

The ESE is, at its core, a mitigation to the influx of vehicles clogging SR 28 and damaging the environment through uncontrolled roadside parking. Beginning in 2012, TTD partnered with the Nevada Division of State Parks (NDSP) to provide a seasonal shuttle service between Incline Village and Sand Harbor State Park. Since the inception of ESE, ridership has steadily grown. In the last season of operations before the pandemic, ESE carried 36,815 passengers. Service was suspended for two years during the pandemic.

For the ESE to return in 2022, TRPA’s Governing Board required a Temporary Use Permit. Staff obtained the required use permit and resumed operations in June of 2022 with a single bus (2019 used three buses). The 2022 season total ridership was 29,161 – 79% of 2019’s ridership with only a third of the capacity.

The enduring popularity of the service stressed TTD’s limited capacity last season. Some members of the community voiced concern to the TRPA Governing Board that more should be done to avoid impacts to the community. The result was a more extensive and prescriptive list of conditions for future approval of the temporary use permit for the 2023 season.

GF/ja

Discussion:

TRPA staff articulated the following conditions that must be addressed before the Governing Board will grant the extension of the temporary use permit. Following each condition is staff's planned approach for meeting each requirement. As the plans and procurements are finalized, staff will provide a written plan of action to the TRPA Governing Board for consideration with the temporary use permit at their May 2023 meeting.

Condition 1 - Signage: Improved signage at the project locations, and consideration of the use of changeable message signage on State Route 28 (SR 28) to notify potential customers that the parking lot at the "Old Incline Elementary School" ("OES") is full, informing customers to proceed to the overflow parking available at the current Incline Elementary School (IES).

Response: Staff will meet with NDOT and University of Reno, Lake Tahoe to discuss placing changeable message signs (CMS) on their property (SR 431 and the corner of Tahoe Blvd and County Club). Other locations for signage will be on TTD property and coordinated with Washoe County. Staff will first inquire with partners as to whether they have CMS available to borrow. In the event CMS must be rented, staff estimate the cost for the season at \$36,348 (four signs, 13 weeks). Alternatively, CMS could be purchased for \$16,550 each, eliminating the need for future rentals.

Condition 2 - Training: Training the staff to provide accurate information, and to enforce the requirements of the permit (e.g., no parking off pavement). Additional training for Nevada State Parks staff, too (see below).

Response: Staff will develop a training manual for TTD Parking Attendants, Parking Ambassadors, and State Parks Staff. This training manual will cover the duties of the Parking Attendants, the procedures for opening and closing the facilities, what information to record, when to switch lots, how to operate the CMS signs, and provide contacts if there are questions and much more. These manuals, along with training, will be provided to all TTD parking employees and Road Supervisors.

Condition 3 – Gates: Open the gates early enough to allow customers to safely parking before the first bus arrives. This will alleviate potential backup on Southwood Boulevard, which can also back up on to NV SR 28.

Response: TTD will hire four Parking Attendants, a doubling of staff from last year, to ensure adequate coverage from 7:00am to 7:00pm (weekdays) or 8:00pm (weekends). This doubling of staff will allow for the gates to open early in the morning and avoid back-ups on Southwood Blvd. Extra staff will also help with improving the general cleanliness of the lot, providing lunch break coverage, and coverage while the CMS messages are rotated throughout the day due to conditions. The doubling of staff will logically double the cost from last year, as well as adding mileage reimbursements for local travel while changing the CMS. Total staffing cost will rise to approximately \$31,200.

Condition 4 - Local Law Enforcement: Although it may not be possible for Washoe County Sheriff to ticket any illegally parked vehicles, TTD will coordinate with WCSO to address potentially unsafe parking conditions. Ultimate action will be decided by Washoe County.

Response: TTD will coordinate with Washoe County Sheriff prior to the resumption of the ESE to develop a joint plan of action. Staff will participate and fully cooperate with Washoe County Sheriff.

Condition 5 - Public Participation: Work with the local groups to get feedback on the additional Special Conditions to be incorporated. Several people mentioned the existing “Incline Village Mobility Committee” as a possible local group to present this information.

Response: Staff intends to brief the Incline Village Mobility Committee (IVMC) at their April meeting. Included in the briefing will be the additional conditions, staff response, and an opportunity for the public to comment. All feedback will be evaluated prior to TTD providing a final response to the TRPA Governing Board for consideration.

Condition 6 - Nevada State Parks: TTD will work with NV SP to ensure that accurate information is supplied to their staff on a regular and real-time basis. NV SP had apparently been providing inaccurate information to customers coming to the park when it was already full.

Response: Nevada State Parks is a critical partner and staff work closely throughout each service day with numerous park personnel. As mentioned above, park personnel will be provided with a training binder and offered the same training Parking Attendants receive prior to the start of the season. Additionally, parks employees will have the phone numbers for all Parking Attendants, Road Supervisors, and the Operations Supervisor and Manger to ensure information flows unimpeded and questions are quickly addressed. Calls and texts will keep everyone connected and in the loop.

Condition 7 - Parking: TTD will install parking barriers to prevent vehicles from parking off-pavement onsite.

Response: Staff will secure approximately 850 feet of internal borders between paved and unpaved areas to prevent parking on unimproved surfaces. Staff are still evaluating options to efficiently secure the unimproved areas however, initial estimates are the cost will be approximately \$4,500 for some sort of physical barrier.

Additionally, TTD has requested Board approval to lease four low floor buses to address the anticipated demand for shuttle service this season under Consent Item XI.C.

Staff is excited to resume the ESE service this summer and is confident the TRPA Governing Board will accept TTD’s responses to the conditions above and approve the temporary use permit for the 2023 operating season.

Additional Information:

If you have any questions or comments regarding this item, please contact George Fink at (775) 589-5325 or gfink@tahoetransportation.org.



STAFF REPORT

Date: June 21, 2023

To: TRPA Governing Board

From: TRPA Staff

Subject: Amendment to Washoe County's Tahoe Area Plan to Allow Single-Family Condominiums in Special Area 1 of the Incline Village Commercial Regulatory Zone

Summary and Staff Recommendation:

Washoe County will provide an overview of the proposed amendment to the Tahoe Area Plan (TAP) including single-family condominiums as an allowed use in Special Area 1 of the Incline Village Commercial Regulatory Zone. The proposed amendment was adopted as a development code amendment by the Washoe County Board of County Commissioners on January 17, 2023. TRPA staff recommend approval of the proposed amendment with additional mitigation measures addressing concerns of the Advisory Planning Commission (APC) and Regional Plan Implementation Committee (RPIC). The proposed mitigation measures define and set minimum standards for mixed-use development in Special Area 1 including a minimum proportion of deed-restricted housing. This staff report details the project background, proposed amendment, and mitigation measures.

Required Motions:

In order to adopt the proposed amendment to the Tahoe Area Plan, the Board must make the following motions:

- 1) A motion to approve the Required Findings, as described in Attachment D, including a Finding of No Significant Effect, for adoption of the Area Plan amendment as described in the staff report; and
- 2) A motion to adopt Ordinance 2023-___, amending Ordinance 2021-06, to amend the Washoe County Tahoe Area Plan as shown in Attachment C.

An affirmative vote of a majority of each state's delegation is required for the motion to pass.

Project Description/Background:

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

The TRPA Governing Board approved the TAP in January 2021. The plan encompasses the entirety of Washoe County's jurisdiction in the Tahoe Basin and has not been amended in the two years since its adoption. The proposed amendment pertains specifically to Special Area 1 of the Incline Village Commercial Zone.

In June 2022, TRPA issued a development permit for a mixed-use (multi-family and commercial) development at 941 and 947 Tahoe Boulevard (APN 132-231-09 and 132-231-10) in Special Area 1 of the Incline Village Commercial Zone. The permitted project included 40 multi-family units and 925 square feet of commercial space in compliance with the TAP implementing regulations. Following permit approval, the developer requested the conversion of the multi-family rental units into owner-occupied condominiums. This request could not be granted because single-family condominium uses are not permitted in Special Area 1.

Washoe County is proposing an amendment to remedy this issue by permitting single-family condominiums in Special Area 1 of the Incline Village Commercial Zone, allowing the proposed condominium subdivision at 947 Tahoe Boulevard along with future mixed-use condominium uses in Special Area 1. The County is also proposing to codify a policy requiring that condominiums are only allowed in the Incline Village Commercial regulatory zone when part of a mixed-use development or if they are affordable housing.

The Washoe County Board of County Commissioners approved an amendment to the Washoe County Development Code to allow this change on January 17, 2023. A copy of the adopted County Ordinance with proposed plan language is included as Attachment A to this packet. Public comment letters received before June 21, 2023, are included in this packet. Because it is not required under Nevada law, no environmental impact documentation was prepared for this local jurisdiction action. TRPA Governing Board approval is required to amend the TAP together with review of an environmental impact analysis.

The APC held a hearing for the proposed amendment and initial environmental check list (“IEC”) on March 8, 2023. At the hearing, the APC failed to pass a motion to recommend approval of the required findings, with six yes votes, four no votes, and two abstentions. Seven affirmative votes were required for a motion to pass. APC member comments focused on three main issues:

- Commissioners felt that the impact of condominium subdivisions on the number of short-term rentals (STRs) in Special Area 1 were not adequately analyzed in the IEC and that mitigations were needed to prevent the proliferation of STRs in condominium subdivisions. Washoe County is exploring options to limit STRs through the Washoe Tahoe housing Roadmap.
- Commissioners were concerned that the findings did not adequately address the potential impact of condominium subdivision on housing affordability.
- Commissioners suggested that the County define and set minimum standards for mixed-use development and affordable housing units in order to strengthen and further define the special policy requiring that single family dwellings in the Incline Village Commercial regulatory zone are part of a mixed-use development or are affordable housing units.

RPIC held a hearing for the proposed amendment on March 22, 2023. RPIC passed a motion to recommend approval of the zoning change limited to 941 and 947 Tahoe Boulevard (APN 132-231-09 and 132-231-10), with three yes votes, and two no votes. The RPIC motion recommended that the County consider policies to encourage workforce housing and define mixed-use development before the amendment is applied to the remainder of Special Area 1. Washoe County has requested that the Governing Board approve the original proposed amendment as approved by the Board of County Commissioners applying to Special Area 1 in its entirety.

Responding to RPIC and Washoe County’s request, TRPA staff recommend that the Governing Board approve the proposed amendment with mitigation measures defining and setting minimum standards for mixed-use development and promoting workforce housing in Special Area 1.

Staff presented concepts behind proposed mixed-use standards at the May 24 RPIC meeting. Mixed-use development is an important tool for achieving the goals of the Regional Plan. Mixed-use standards aim to promote the collocation of compatible uses combined with pedestrian-oriented design to support more walkable town centers and reduce vehicle miles traveled. Recognizing that affordability is crucial to the viability of mixed-use development and that there is a significant unmet demand for workforce housing in the basin, the standards also include requirements for deed-restricted housing.

The proposed amendment and mitigation language can be found in Exhibit A to Attachment C of this packet. The proposed mitigation measures include the following:

- A mixed-use definition broadly defining permissible non-residential uses, requiring pedestrian-oriented non-residential uses on the ground floor street frontage and using Floor Area Ratio (FAR).
- Standards requiring at least 10 percent deed-restricted housing that is substantially similar in size and layout to residential units being sold at market rate with the option to deed-restrict more units with a smaller footprint. The standards include two options for providing deed-restricted units:
 - Building a 1:1 mix of affordable and moderate units on or off-site; or
 - Building achievable units on site and deed-restricting an off-site parcel of equal size for future affordable housing.
- No minimum parking requirement with parking and vehicle access designed to limit conflict with pedestrian circulation.
- Design standards aimed at promoting pedestrian accessibility including transparent façade, pedestrian-oriented entry, and sidewalks.

When a regional definition and standards are adopted, the proposed mitigation measures for Special Area 1 will be repealed and replaced by those standards. The Governing board is asked to make a final determination on whether to approve the proposed area plan amendment.

Environmental Review:

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

Regional Plan Compliance:

TRPA staff completed a Regional Plan Conformance Review Checklist (Attachment F) and determined that the proposed amendment with mitigation is in conformance with the Regional Plan. The proposed amendment was reviewed by the APC and RPIC. The recommendations of the APC and RPIC along with the proposed mitigation measures should be considered by the Governing Board in determining whether to find the Area Plan amendment in compliance with the Regional Plan.

Contact Information:

For questions regarding this agenda item, please contact Jacob Stock, AICP, Senior Planner, at (775) 589-5221 or jstock@trpa.gov.

Attachments:

- A. Washoe County Adopting Ordinance
- B. Washoe County Staff Memo Summarizing the Proposed Area Plan Amendment
- C. TRPA Ordinance 2023-__
- D. Required Findings/Rationale
- E. Initial Environmental Checklist
- F. Conformity Checklist
- G. Compliance Measures Checklist

Attachment A
Washoe County Adopting Ordinance

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

Summary: AMENDS WASHOE COUNTY CODE CHAPTER 110 (DEVELOPMENT CODE), ARTICLE 220 (Tahoe Area), Section 110.220.145 (Incline Village Commercial Regulatory Zone Special Area 1) and Section 110.220.150 (Incline Village Commercial Regulatory Zone Special Policies) referring to land use.

BILL NO. 10880

ORDINANCE NO. 10910

Title:

An ordinance amending Washoe County Code Chapter 110 (Development Code), Article 220 (Tahoe Area), Section 110.220.145 (Incline Village Commercial Regulatory Zone Special Area 1) to add single family dwellings, limited to air space condominiums, as an allowed use in Incline Village Commercial Regulatory Zone Special Area 1; and to amend Section 110.220.150 (Incline Village Commercial Regulatory Zone Special Policies) referring to land use to add Tahoe Area Plan Policy LU2-9 [Single family dwellings shall only be allowed in the Incline Village Commercial regulatory zone when they are part of a mixed-use development or when they are affordable housing units] as a special policy; and all matters necessarily connected therewith and pertaining thereto.

WHEREAS:

- A. This Commission desires to amend Washoe County Code Chapter 110 (Development Code), Article 220 (Tahoe Area), Section 110.220.145 (Incline Village Commercial Regulatory Zone Special Area 1) in order to add single family dwellings, limited to air space condominiums, as an allowed use in the Incline Village Commercial Regulatory Zone Special Area 1; and to add Tahoe Area Plan Policy LU2-9 as to Section

1091022

110.220.150 (Incline Village Commercial Regulatory Zone Special Policies); and

- B. The Washoe County Planning Commission initiated the proposed amendments by Resolution Number 22-17 on November 1, 2022; and
- C. The amendments and this ordinance were drafted in concert with the District Attorney, and the Planning Commission held a duly noticed public hearing for WDCA22-0002 on November 1, 2022, and adopted Resolution Number 22-17 recommending adoption of this ordinance; and
- D. Following a first reading and publication as required by NRS 244.100(1), and after a duly noticed public hearing, this Commission desires to adopt this Ordinance; and
- E. This Commission has determined that this ordinance is being adopted pursuant to requirements set forth in Chapter 278 of NRS, therefore it is not a "rule" as defined in NRS 237.060 requiring a business impact statement.

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

SECTION 1. Washoe County Code Chapter 110 (Development Code), Article 220 (Tahoe Area), Section 110.220.145 (Incline Village Commercial Regulatory Zone Special Area 1) is hereby amended as follows:

Section 110.220.145 Incline Village Commercial Regulatory Zone.

INCLINE VILLAGE COMMERCIAL REGULATORY ZONE		
Allowable Land Uses by Land Use Classification	Land Use Permit	Density
Residential		
Employee Housing	A	Based on other residential use densities
Multiple Family Dwelling	S	15 units per acre minimum 25 units per acre maximum
Multi-Person Dwelling	S	25 people per acre
Nursing and Personal Care (Section 110.220.410)	S	

		40 people per acre
Residential Care (Section 110.220.410)	S	40 people per acre
Single Family Dwellings	S	1 unit per parcel + 1 accessory dwelling where allowed by Section 110.220.85
Tourist Accommodation		
Bed and Breakfast Facilities	A	5 units per site
Hotels, Motels and Other Transient Dwelling Units	A	40 units per acre
Timeshare (Hotel/Motel Design)	S	Based on hotel, motel and other transient use densities set forth above
Timeshare (Residential Design)	S	Based on hotel, motel and other transient use densities set forth above
Commercial		
Auto, Mobile Home and Vehicle Dealers	A	
Building Materials and Hardware	A	
Eating and Drinking Places	A	
Food and Beverage Retail Sales	A	
Furniture, Home Furnishings and Equipment	A	
General Merchandise Stores	A	
Mail Order and Vending	A	
Nursery	A	
Outdoor Retail Sales	S	
Service Stations	A	
Amusements and Recreation Services	S	
Privately Owned Assembly and Entertainment	S	
Outdoor Amusements	S	
Animal Husbandry Services	A	
Auto Repair and Service	S	
Broadcasting Studios	A	
Business Support Services	A	
Financial Services	A	
Contract Construction Services	A	
Health Care Services	A	
Laundries and Dry Cleaning Plant	A	
Personal Services	A	
Professional Offices	A	
Repair Services	A	
Sales Lot	S	
Schools – Business and Vocational	A	
Secondary Storage	S	
Food and Kindred Products	S	
Fuel and Ice dealers	S	
Industrial Services	S	
Printing and Publishing	A	

Small Scale Manufacturing	S	
Storage Yards	S	
Vehicle and Freight Terminals	S	
Vehicle Storage and Parking	S	
Warehousing	S	
Wholesale and Distribution	S	
Public Service		
Churches	A	
Collection Stations	S	
Regional Public Health and Safety Facilities	S	
Health Care Services	S	
Cultural Facilities	A	
Day Care Centers/Preschools	S	
Government Offices	A	
Hospitals	A	
Local Assembly and Entertainment	A	
Local Post Office	A	
Local Public Health and Safety Facilities	A	
Membership Organizations	A	
Publicly Owned Assembly and Entertainment	S	
Pipelines and Power Transmission	S	
Schools – Kindergarten through Secondary	A	
Social Service Organizations	A	
Threshold-Related Research Facilities	S	
Transit Stations and Terminals	S	
Transportation Routes	S	
Transmission and Receiving Facilities	S	
Recreation		
Day Use Areas	A	
Participant Sports Facilities	A	
Outdoor Recreation Concessions	S	
Recreational Centers	A	
Riding and Hiking Trails	S	
Sport Assembly	S	
Visitor Information Centers	S	
Resource Management		
Reforestation	A	
Sanitation Salvage Cut	A	
Thinning	A	
Tree Farms	A	
Early Successional Stage Vegetation Management	A	
Nonstructural Fish Habitat Management	A	
Nonstructural Wildlife Habitat Management	A	
Structural Fish Habitat Management	A	
Structural Wildlife Habitat Management	A	
Fire Detection and Suppression	A	
Fuels Treatment	A	
Insect and Disease Suppression	A	
Sensitive Plant Management	A	
Uncommon Plant Community Management	A	
Erosion Control	A	
Runoff Control	A	
Stream Environment Zone Restoration	A	

11/21/17

INCLINE VILLAGE COMMERCIAL REGULATORY ZONE SPECIAL AREA 1		
Allowable Land Uses by Land Use Classification	Land Use Permit	Density
Residential		
Single Family Dwelling*	A	1 unit per parcel
Multiple Family Dwelling	A	15 units per acre minimum
		25 units per acre
Employee Housing	A	Based on other residential use densities
Nursing and Personal Care (Section 110.220.410)	S	40 people per acre
Residential Care (Section 110.220.410)	S	40 people per acre
Commercial		
Building Materials and Hardware	S	
Eating and Drinking Places	A	
Food and Beverage Retail Sales	A	
Furniture, Home Furnishings and Equipment	A	
General Merchandise Stores	A	
Mail Order and Vending	A	
Nursery	A	
Outdoor Retail Sales	S	
Service Stations	S	
Privately Owned Assembly and Entertainment	S	
Broadcasting Studios	A	
Financial Services	A	
Health Care Services	A	
Personal Services	A	
Professional Offices	A	
Repair Services	A	
Schools – Business and Vocational	A	
Printing and Publishing	S	
Public Service		
Churches	A	
Cultural Facilities	A	
Day Care Centers/Preschools	A	
Government Offices	A	
Local Assembly and Entertainment	A	
Local Post Office	A	
Local Public Health and Safety Facilities	A	
Membership Organizations	A	
Publicly Owned Assembly and Entertainment	S	
Regional Public Health and Safety Facilities	A	
Social Service Organizations	A	
Pipelines and Power Transmission	S	
Threshold-Related Research Facilities	S	
Transit Stations and Terminals	S	

Transportation Routes	S	
Transmission and Receiving Facilities	S	
INCLINE VILLAGE COMMERCIAL REGULATORY ZONE SPECIAL AREA #2		
Allowable Land Uses by Land Use Classification	Land Use Permit	Density
Commercial		
General Merchandise Stores	A	
Mail Order and Vending	A	
Building Materials and Hardware	S	
Eating and Drinking Places	A	
Food and Beverage Retail Sales	A	
Furniture, Home Furnishings, and Equipment	A	
Professional Offices	A	
Broadcasting Studios	A	
Schools – Business and Vocational	A	
Financial Services	A	
Health Care Services	A	
Printing and Publishing	S	
INCLINE VILLAGE COMMERCIAL REGULATORY ZONE SPECIAL AREA #3		
Allowable Land Uses by Land Use Classification	Land Use Permit	Density
Public Service		
Churches	A	
Collection Stations	S	
Regional Public Health and Safety Facilities	S	
Health Care Services	S	
Cultural Facilities	A	
Day Care Centers/Preschools	S	
Government Offices	A	
Hospitals	A	
Local Assembly and Entertainment	A	
Local Post Office	A	
Local Public Health and Safety Facilities	A	
Membership Organizations	A	
Publicly Owned Assembly and Entertainment	S	
Pipelines and Power Transmission	S	
Schools – Kindergarten through Secondary	A	
Social Service Organizations	A	
Threshold-Related Research Facilities	S	
Transit Stations and Terminals	S	
Transportation Routes	S	
Transmission and Receiving Facilities	S	
Resource Management		
Reforestation	A	
Sanitation Salvage Cut	S	
Thinning	A	
Tree Farms	A	
Early Successional Stage Vegetation Management	A	
Nonstructural Fish Habitat Management	A	
Nonstructural Wildlife Habitat Management	A	
Structural Fish Habitat Management	A	
Structural Wildlife Habitat Management	A	
Fire Detection and Suppression	A	
Fuels Treatment	A	
Insect and Disease Suppression	A	

11/29/16

Sensitive Plant Management	A	
Uncommon Plant Community Management	A	
Erosion Control	A	
Runoff Control	A	
Stream Environment Zone Restoration	A	

*Only when associated with an approved tentative subdivision map of multifamily into air space condominiums

SECTION 2. Washoe County Code Chapter 110 (Development Code), Article 220 (Tahoe Area), Section 110.220.150 (Incline Village Commercial Regulatory Zone Special Policies) referring to land use is hereby amended as follows:

Section 110.220.150 Incline Village Commercial Regulatory Zone Special Policies. The following special policies will be implemented in the Incline Village Commercial Regulatory Zone.

- a. The Incline Village Commercial Regulatory Zone includes the following special designations as defined in TRPA Code of Ordinances Section 11.6.3, *Special Designations*:
 - (1) Preferred Affordable Housing Area
 - (2) Scenic Restoration Area
- b. Parking areas should be developed taking access from local streets such as Alder Avenue and Incline Way.
- c. Single family dwellings shall only be allowed in the Incline Village Commercial regulatory zone when they are part of a mixed-use development or when they are affordable housing units.

SECTION 3. General Terms.

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

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

Passage and Effective Date

Proposed on December (month) 13 (day), 2022.

Proposed by Commissioner Hill.

Passed on January (month) 17 (day), 2023.

Vote:

Ayes: Hartung, Hill, Herman, Garcia, Clark

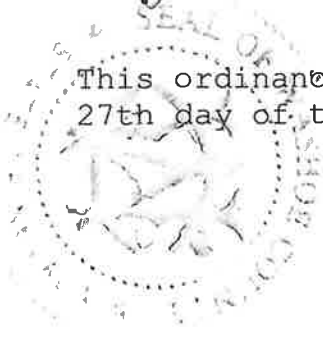
Nays: None

Absent: None


Chair
Washoe County Commission

ATTEST:


Janis Galassini, County Clerk



This ordinance shall be in force and effect from and after the 27th day of the month of January of the year 2023.

Attachment B
Washoe County Staff Memo Summarizing the Proposed Area Plan Amendment



WASHOE COUNTY

Integrity Communication Service

www.washoecounty.gov

MEMORANDUM

MEETING DATE: **June 28, 2023**

DATE: June 2, 2023

TO: TRPA Governing Board

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

THROUGH: Kelly Mullin, AICP, Planning & Building Division Director, Community Services Department, 328-3619, kmullin@washoecounty.gov

SUBJECT: Washoe County Tahoe Area Plan Amendment

SUMMARY

On January 17, 2023, the Washoe County Board of County Commissioners (“Board”) adopted Bill No. 1888, Ordinance No. 1696, an amendment to Washoe County’s Code (ref. WDCA22-0003), which amended Washoe County Code Chapter 110 (Development Code), Article 220 (Tahoe Area) to add single family dwellings, limited to condominiums, as an allowable use in the Incline Village Commercial (IV-C)- Special Area 1 regulatory zone subject to Land Use Policy LU2-9 which provides “single family dwellings shall only be allowed in the Incline Village Commercial regulatory zone when they are part of a mixed-use development or when they are affordable housing units”. The IV-C regulatory zone falls within Washoe County’s Tahoe Area Plan and TRPA has adopted Washoe County’s Development Code, Article 220 as part of its adoption of the Tahoe Area Plan. Therefore, the amendment requires approval by the TRPA Governing Board to conform Washoe County’s Development Code amendment with TRPA’s adoption of the Tahoe Area Plan.

On March 22, 2023, the Regional Plan Implementation Committee (“RPIC”) recommended approval of Washoe County’s amendment to include single-family condominiums as an allowed use within the Incline Village Commercial (IV-C)- Special Area 1 regulatory zone. However, the RPIC limited its recommendation of approval to only apply to two (2) parcels (APN 132-231-09 and 132-231-10) within the regulatory zone. Washoe County requests the TRPA Governing Board wholly approve the original amendments adopted by the Washoe County Board of County Commissioners with any necessary mitigations (Exhibit A to Attachment C), and not piecemeal the County’s requested amendment. County staff do not have the authority to support any changes to the original request without first having direction and/or approval to do so from the Board of County Commissioners.

BACKGROUND

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

May 26, 2021. TRPA Governing Board adopted the Washoe County Tahoe Area Plan and amendments to Chapters 34, 36, and 38 of the TRPA Code of Ordinances. The TRPA's adoption of the Washoe County Tahoe Area Plan included two Articles within Washoe County's Development Code—Article 220 Tahoe Area Plan modifiers and Article 220.1 Tahoe Area Design Standards.

October 8, 2021. An applicant submitted a special use permit application to Washoe County (WSUP21-0029) to construct a 40-unit multifamily residential project at 947/941 Tahoe Boulevard, as required for projects located in the broader Incline Village Commercial regulatory zone. Staff later determined that the proposed project was not subject to the approval of a special use permit because the project site was located in Special Area 1 of the IV-C, in which multifamily dwellings are an allowed use. As an allowed use and not a special use, the 40-unit multifamily project would not require discretionary action by the County. The applicants indicated their desire was to eventually subdivide the multifamily dwellings into air space condominiums.

December 8, 2021. The applicant submitted a tentative subdivision map application to Washoe County (WTM21-012) to subdivide a proposed 40-unit multifamily dwelling project located at 947/941 Tahoe Boulevard into 40 air space condominiums. Pursuant to Washoe County's development review process, the applicant held a neighborhood meeting in Incline Village on January 24, 2022, for the 40-unit project and subdivision.

During staff's review, it was identified that the Tahoe Regional Planning Agency's (TRPA) Code of Ordinances considers condominiums to be single family dwellings, which are currently not an allowed use in IV-C Special Area 1.

Upon subsequent consultation with Washoe County and TRPA staff, the applicant was informed that they would need to seek approval to amend TRPA's adoption of the Tahoe Area Plan and Washoe County's Development Code (Article 220) if they desired to pursue adding single family condominium dwellings as an allowable use in Special Area 1 of the IV-C regulatory zone. This request would require both Washoe County and TRPA approval.

It is important to note that the subject amendment is not specific to any one parcel or project in the IV-C Special Area 1 regulatory zone. The proposed amendment addresses the addition of single-family dwellings, limited to air space condominiums, for the whole of IV-C, Special Area 1.

July 8, 2022. The applicant submitted a development code amendment application to Washoe County (WDCA22-0002) to add single family dwellings, limited to condominiums, as an allowable use in the Incline Village Commercial (IV-C)- Special Area 1 regulatory zone subject to Land Use Policy LU2-9 which provides "single family dwellings shall only be allowed in the Incline Village Commercial regulatory zone when they are part of a mixed-use development or when they are affordable housing units".

August 22, 2022. The applicant held a Zoom meeting to request feedback on the requested development code amendment. A total of 3,264 individual email recipients received the meeting invitation. Thirty-four people were in attendance.

November 1, 2022. The Washoe County Planning Commission (PC) reviewed the proposed amendments to Washoe County Code Chapter 110 (Development Code), Article 220, Tahoe Area, and voted unanimously to recommend approval of Development Code Amendment WDCA22-0002 to the Board.

December 13, 2022. The Washoe County Board of County Commissioners (Board) introduced and conducted a first reading for Bill 1888, an ordinance amending Washoe County Code Chapter 110 (Development Code), Article 220, Tahoe Area.

January 17, 2023. The Board held a public hearing and conducted a second reading for Bill 1888, and after the public hearing, adopted Ordinance Number 1696, which amends Washoe County Code Chapter 110 (Development Code), Article 220, Tahoe Area as stated below in this staff report.

February 22, 2023. The Regional Plan Implementation Committee (RPIC) heard a presentation on the requested amendment to TRPA's adoption of the Tahoe Area Plan for informational purposes only.

March 8, 2023. The Advisory Planning Commission held a hearing on the requested amendment and failed to pass a motion to recommend approval of the required findings.

March 22, 2023. The RPIC partially recommended approval of the requested amendment to include single-family condominiums as an allowed use in Special Area 1 but limited its approval to only include two parcels within the regulatory zone (APN 132-231-09 and 132-231-10). RPIC included a recommendation to consider allowing single-family condominiums as an allowed use for the remainder of the Special Area 1 regulatory zone only after further defining mixed-use zoning and incentives for affordable housing. Please note that Washoe County Commissioner Hill voted against the motion to modify the amendment as adopted by the Board. The TRPA staff recommendation addresses RPIC's concerns by defining mixed-use zoning and incentives for affordable housing.

PUBLIC INPUT RECEIVED

Public comment included a mix of both support and opposition for the amendment. Many of the comments focused on a specific project, known as "Nine 47 Tahoe Condo", recently approved by TRPA for new construction as a multifamily dwelling development in June of 2022. The subject area plan amendment would apply to the entire Special Area 1 of the Incline Village Commercial regulatory zone. The analysis required for the requested amendment is for the addition of single-family dwellings as an allowable use for IV-C, Special Area 1 only, provided that: (1) the use is associated with an approved tentative subdivision map for multifamily use; and (2) the use is part of a mixed-use development or the single-family dwelling units are affordable housing units. Proposed mitigation measures further define the above stated requirements.

CONCLUSION

Washoe County believes all findings can be made to approve the proposed area plan amendment and that the amendment will support and further the aims of the Tahoe Area Plan and the Regional Plan. It is requested that the Governing Board approve the proposed amendment in its entirety.

Attachment C
TRPA Ordinance 2023-__

TAHOE REGIONAL PLANNING AGENCY
ORDINANCE 2023-__

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

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

Section 1.00 Findings

- 1.10 It is desirable to amend TRPA Ordinance 2013-05 by amending the Tahoe Area Plan to further implement the Regional Plan pursuant to Article VI (a) and other applicable provisions of the Tahoe Regional Planning Compact.
- 1.20 The Tahoe Area Plan amendments were the subject of an Initial Environmental Checklist (IEC), which was processed in accordance with Chapter 3: *Environmental Documentation* of the TRPA Code of Ordinances and Article VI of the Rules of Procedure. The Tahoe Area Plan amendments have been determined, with mitigation, not to have a significant effect on the environment and are therefore exempt from the requirement of an Environmental Impact Statement (EIS) pursuant to Article VII of the Compact.
- 1.30 The Advisory Planning Commission (APC) and the Governing Board have each conducted a noticed public hearing on the proposed Tahoe Area Plan amendments. At these hearings, oral testimony and documentary evidence were received and considered.
- 1.40 The Governing Board finds that the Tahoe Area Plan amendments adopted hereby will continue to implement the Regional Plan, as amended, in a manner that achieves and maintains the adopted environmental threshold carrying capacities as required by Article V(c) of the Compact.
- 1.50 Prior to the adoption of these amendments, the Governing Board made the findings required by TRPA Code of Ordinances Section 4.5, and Article V(g) of the Compact.
- 1.60 Each of the foregoing findings is supported by substantial evidence in the record.

Section 2.00 TRPA Code of Ordinances Amendments

Ordinance 2021-06 is hereby amended by amending the Tahoe Area Plan as set forth in Exhibit 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 Tahoe Area Plan shall become effective on adoption.

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

Ayes:

Nays:

Abstentions:

Absent:

Cindy Gustafson, Chair
Tahoe Regional Planning Agency,
Governing Board

EXHIBIT A

AMENDMENTS TO THE WASHOE TAHOE AREA PLAN

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

Section 110.220.145 Incline Village Commercial Regulatory Zone.

INCLINE VILLAGE COMMERCIAL REGULATORY ZONE		
Allowable Land Uses by Land Use Classification	Land Use Permit	Density
Residential		
Employee Housing	A	Based on other residential use densities
Multiple Family Dwelling	S	15 units per acre minimum 25 units per acre maximum
Multi-Person Dwelling	S	25 people per acre
Nursing and Personal Care (Section 110.220.410)	S	40 people per acre
Residential Care (Section 110.220.410)	S	40 people per acre
Single Family Dwellings	S	1 unit per parcel + 1 accessory dwelling where allowed by Section 110.220.85
Tourist Accommodation		
Bed and Breakfast Facilities	A	5 units per site
Hotels, Motels and Other Transient Dwelling Units	A	40 units per acre
Timeshare (Hotel/Motel Design)	S	Based on hotel, motel and other transient use densities set forth above
Timeshare (Residential Design)	S	Based on hotel, motel and other transient use densities set forth above
Commercial		
Auto, Mobile Home and Vehicle Dealers	A	
Building Materials and Hardware	A	
Eating and Drinking Places	A	
Food and Beverage Retail Sales	A	
Furniture, Home Furnishings and Equipment	A	

General Merchandise Stores	A	
Mail Order and Vending	A	
Nursery	A	
Outdoor Retail Sales	S	
Service Stations	A	
Amusements and Recreation Services	S	
Privately Owned Assembly and Entertainment	S	
Outdoor Amusements	S	
Animal Husbandry Services	A	
Auto Repair and Service	S	
Broadcasting Studios	A	
Business Support Services	A	
Financial Services	A	
Contract Construction Services	A	
Health Care Services	A	
Laundries and Dry Cleaning Plant	A	
Personal Services	A	
Professional Offices	A	
Repair Services	A	
Sales Lot	S	
Schools – Business and Vocational	A	
Secondary Storage	S	
Food and Kindred Products	S	
Fuel and Ice dealers	S	
Industrial Services	S	
Printing and Publishing	A	
Small Scale Manufacturing	S	
Storage Yards	S	
Vehicle and Freight Terminals	S	
Vehicle Storage and Parking	S	
Warehousing	S	
Wholesale and Distribution	S	
Public Service		
Churches	A	
Collection Stations	S	
Regional Public Health and Safety Facilities	S	
Health Care Services	S	
Cultural Facilities	A	
Day Care Centers/Preschools	S	
Government Offices	A	
Hospitals	A	
Local Assembly and Entertainment	A	
Local Post Office	A	
Local Public Health and Safety Facilities	A	
Membership Organizations	A	

Publicly Owned Assembly and Entertainment	S	
Pipelines and Power Transmission	S	
Schools – Kindergarten through Secondary	A	
Social Service Organizations	A	
Threshold-Related Research Facilities	S	
Transit Stations and Terminals	S	
Transportation Routes	S	
Transmission and Receiving Facilities	S	
Recreation		
Day Use Areas	A	
Participant Sports Facilities	A	
Outdoor Recreation Concessions	S	
Recreational Centers	A	
Riding and Hiking Trails	S	
Sport Assembly	S	
Visitor Information Centers	S	
Resource Management		
Reforestation	A	
Sanitation Salvage Cut	A	
Thinning	A	
Tree Farms	A	
Early Successional Stage Vegetation Management	A	
Nonstructural Fish Habitat Management	A	
Nonstructural Wildlife Habitat Management	A	
Structural Fish Habitat Management	A	
Structural Wildlife Habitat Management	A	
Fire Detection and Suppression	A	
Fuels Treatment	A	
Insect and Disease Suppression	A	
Sensitive Plant Management	A	
Uncommon Plant Community Management	A	
Erosion Control	A	
Runoff Control	A	
Stream Environment Zone Restoration	A	
INCLINE VILLAGE COMMERCIAL REGULATORY ZONE SPECIAL AREA 1		
Allowable Land Uses by Land Use Classification	Land Use Permit	Density
Residential		
Single Family Dwelling*	A	1 unit per parcel
Multiple Family Dwelling	A	15 units per acre minimum 25 units per acre

Employee Housing	A	Based on other residential use densities
Nursing and Personal Care (Section 110.220.410)	S	40 people per acre
Residential Care (Section 110.220.410)	S	40 people per acre
Commercial		
Building Materials and Hardware	S	
Eating and Drinking Places	A	
Food and Beverage Retail Sales	A	
Furniture, Home Furnishings and Equipment	A	
General Merchandise Stores	A	
Mail Order and Vending	A	
Nursery	A	
Outdoor Retail Sales	S	
Service Stations	S	
Privately Owned Assembly and Entertainment	S	
Broadcasting Studios	A	
Financial Services	A	
Health Care Services	A	
Personal Services	A	
Professional Offices	A	
Repair Services	A	
Schools – Business and Vocational	A	
Printing and Publishing	S	
Public Service		
Churches	A	
Cultural Facilities	A	
Day Care Centers/Preschools	A	
Government Offices	A	
Local Assembly and Entertainment	A	
Local Post Office	A	
Local Public Health and Safety Facilities	A	
Membership Organizations	A	
Publicly Owned Assembly and Entertainment	S	
Regional Public Health and Safety Facilities	A	
Social Service Organizations	A	
Pipelines and Power Transmission	S	
Threshold-Related Research Facilities	S	
Transit Stations and Terminals	S	
Transportation Routes	S	
Transmission and Receiving Facilities	S	

INCLINE VILLAGE COMMERCIAL REGULATORY ZONE SPECIAL AREA #2		
Allowable Land Uses by Land Use Classification	Land Use Permit	Density
Commercial		
General Merchandise Stores	A	
Mail Order and Vending	A	
Building Materials and Hardware	S	
Eating and Drinking Places	A	
Food and Beverage Retail Sales	A	
Furniture, Home Furnishings, and Equipment	A	
Professional Offices	A	
Broadcasting Studios	A	
Schools – Business and Vocational	A	
Financial Services	A	
Health Care Services	A	
Printing and Publishing	S	
INCLINE VILLAGE COMMERCIAL REGULATORY ZONE SPECIAL AREA #3		
Allowable Land Uses by Land Use Classification	Land Use Permit	Density
Public Service		
Churches	A	
Collection Stations	S	
Regional Public Health and Safety Facilities	S	
Health Care Services	S	
Cultural Facilities	A	
Day Care Centers/Preschools	S	
Government Offices	A	
Hospitals	A	
Local Assembly and Entertainment	A	
Local Post Office	A	
Local Public Health and Safety Facilities	A	
Membership Organizations	A	
Publicly Owned Assembly and Entertainment	S	
Pipelines and Power Transmission	S	
Schools – Kindergarten through Secondary	A	
Social Service Organizations	A	
Threshold-Related Research Facilities	S	
Transit Stations and Terminals	S	
Transportation Routes	S	
Transmission and Receiving Facilities	S	
Resource Management		
Reforestation	A	
Sanitation Salvage Cut	S	
Thinning	A	
Tree Farms	A	

Early Successional Stage Vegetation Management	A	
Nonstructural Fish Habitat Management	A	
Nonstructural Wildlife Habitat Management	A	
Structural Fish Habitat Management	A	
Structural Wildlife Habitat Management	A	
Fire Detection and Suppression	A	
Fuels Treatment	A	
Insect and Disease Suppression	A	
Sensitive Plant Management	A	
Uncommon Plant Community Management	A	
Erosion Control	A	
Runoff Control	A	
Stream Environment Zone Restoration	A	

***Only allowed when associated with an approved tentative subdivision map of a multifamily structure or structures into air space condominiums. Subdivision of a mixed-use structure or structures shall be subject to the following requirements:**

- 1. Structure(s) shall be designed to accommodate pedestrian-oriented non-residential uses on the ground floor street frontage at a minimum average depth of 40 feet, but in no case less than 25 feet, for a minimum of 60 percent of the ground floor frontage. Adjustment to the location of pedestrian frontage can be approved administratively if site conditions (e.g., slope, lack of right-of-way, etc.) prevent placing it on the street. The mixed-use structure(s) shall have a maximum floor area ratio (FAR) 1.3 not subject to density limits. Unoccupied areas such as basements, parking garages, stairs, and elevator shafts shall be excluded from the FAR calculation.**
- 2. Permissible pedestrian-oriented non-residential uses include, but are not limited to, retail, restaurant, personal services, office, and entertainment uses. Lobbies, gymnasiums, sales offices, management offices and leasing offices may be included if they are open to the public.**
- 3. Structure(s) shall include deed-restricted residential units. Deed-restricted units shall be substantially similar to the project’s market rate mix of units, size, and design of units. However, two or more affordable deed-restricted studio units may be substituted for any required larger deed-restricted unit if the combined square footage is similar. In addition to the above stated requirements, deed-restrictions shall meet one of the following alternatives:**
 - a. No less than 10 percent of residential units or at least one unit, whichever is greater, shall be deed-restricted affordable or moderate-income housing. Where there is an even number of deed-restricted units, affordable and moderate-income housing may be deed-restricted on a 1:1 basis. Where there is an odd number of deed-restricted units, the majority shall be deed-restricted affordable. Deed-restricted units may be built on site or elsewhere within Special Area-1. Deed-restricted units must be built before or concurrently with market rate units.**
 - b. No less than 10 percent of residential units or at least one unit, whichever is greater, shall be deed-restricted achievable units. Deed-**

restricted units must be built concurrently on site. An offsite parcel in Special Area 1 with an equal or greater unit capacity, less any mixed-use space on the first floor, as the project site must be deed-restricted affordable. After building the full unit capacity of affordable housing units on the offsite parcel pursuant to this subsection, TRPA shall, upon the developer's request, release the achievable units from the deed restriction.

- 4. No minimum parking requirement. Parking and vehicle access shall be designed to limit conflict with pedestrian circulation along the ground floor frontage.**
- 5. No more than 20 linear feet of the street-fronting façade may be blank or featureless.**
- 6. The ground floor and street frontage shall be designed to promote pedestrian accessibility such as transparent façade, ground floor ceiling height no less than 10 feet, pedestrian-oriented street-facing entry, sidewalks, and other pedestrian improvements.**

These requirements shall apply until TRPA adopts an amendment to the Code of Ordinances defining and setting minimum standards for mixed-use development at which time the Code shall apply, and requirements 1, 2, 5, and 6 shall be automatically repealed. Buildings in Special Area 1 that have received a permit from TRPA on or before June 30, 2023, are not required to meet requirements 1, 2, 5, and 6.

Section 110.220.150 Incline Village Commercial Regulatory Zone Special Policies. The following special policies will be implemented in the Incline Village Commercial Regulatory Zone.

- a. The Incline Village Commercial Regulatory Zone includes the following special designations as defined in TRPA Code of Ordinances Section 11.6.3, *Special Designations*:
 - (1) Preferred Affordable Housing Area
 - (2) Scenic Restoration Area
- b. Parking areas should be developed taking access from local streets such as Alder Avenue and Incline Way.
- c. Single family dwellings shall only be allowed in the Incline Village Commercial regulatory zone when they are part of a mixed-use development or when they are affordable housing units.**

Attachment D
Required Findings/Rationale

**REQUIRED FINDINGS FOR AMENDMENTS TO THE WASHOE COUNTY TAHOE AREA PLAN,
INCLINE VILLAGE COMMERCIAL REGULATORY ZONE SPECIAL AREA 1**

This document contains required findings per Chapter 3, 4, and 13 of the TRPA Code of Ordinances for amendments to the Washoe County Tahoe Area Plan (TAP):

Chapter 3 Findings: The following finding must be made prior to amending the TAP:

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

Rationale: Based on the completed Initial Environmental Checklist/Finding of No Significant Effect (IEC/FONSE) for the amendments, no significant environmental impacts have been identified as a result of the proposed amendments with mitigations defining requirements mixed-use and affordable housing. The IEC was prepared to evaluate the potential environmental impacts of the amendments and tiers from and incorporates by reference specific analyses contained in the following environmental review documents:

- TRPA, *Regional Plan Update EIS*, certified by the TRPA Governing Board on December 12, 2012 (RPU EIS)
- Washoe County/TRPA, *Tahoe Area Plan IEC/FONSE*, certified by the TRPA Governing Board on May 26, 2021 (TAP IEC).
- TRPA/Tahoe Metropolitan Planning Organization (TMPO), *2020 Linking Tahoe: Regional Transportation Plan/Sustainable Communities Strategy IS/MND/IEC/FONSE*, certified by the TMPO Board and the TRPA Governing Board on April 2021 (RTP IS/IEC)

These program-level environmental documents include a regional and county-wide cumulative scale analysis and a framework of mitigation measures that provide a foundation for subsequent environmental review at an Area Plan level. Because the amendments with mitigations are consistent with the 2012 Regional Plan Update (RPU), adopted TAP and Regional Transportation Plan (RTP), which have approved program-level environmental documents, the TAP amendments are within the scope of these program-level documents.

The proposed amendments evaluated by the IEC are limited to the amendments of the TAP to add single-family dwellings (SFDs), limited to condominiums, as a permissible use in the TAP’s Incline Village Commercial Regulatory Zone (IVCRZ) Special Area 1 (SA1) when part of a mixed-use development or when they are affordable housing units. The purpose of the amendments is to allow for the condominium form of ownership within SA1 when an approved multiple-family dwelling (MFD) project, with a mixed-use component or limited to affordable housing, is

subdivided into airspace condominiums. Under current zoning, units in an MFD development within SA1 may only be rented since subdivision into SFD condominiums is prohibited. The amendment will not have a significant effect on existing environmental conditions as analyzed in the original TAP IEC because it does not change intensity of development with the addition of a definition and minimum standards for mixed-use development.

The amendments described in this packet will become part of the Regional Plan and update the permissible uses within the IVCRZ SA1. The proposed amendments are consistent overall with the TRPA Conceptual Regional Land Use Map adopted as part of the RPU.

The IEC is tiered from the RPU EIS in accordance with Section 6.12 of the TRPA Rules of Procedures. The RPU EIS is a Program EIS that was prepared pursuant to Article VI of TRPA Rules of Procedures (Environmental Impact Statements) and Chapter 3 (Environmental Documentation) of the TRPA Code of Ordinances. The RPU is a comprehensive land use plan that guides physical development within the Lake Tahoe Region through 2035. The RPU EIS analyzes full implementation of uses and physical development proposed under the RPU, and it identifies measures to mitigate the significant adverse program-level and cumulative impacts associated with that growth. The TAP is an element of the growth that was anticipated in the RPU and evaluated in the RPU EIS. By tiering from the RPU EIS, this IEC relies on the RPU EIS for the following:

- a discussion of general background and setting information for environmental topic areas;
- overall growth-related issues;
- issues that were evaluated in sufficient detail in the 2012 RPU EIS for which there is no significant new information or change in circumstances that would require further analysis; and
- assessment of cumulative impacts.

The IEC evaluated the potential environmental impacts of the proposed amendments with respect to the RPU EIS to determine what level of additional environmental review, if any, is appropriate. The IEC assessed potential impacts to the affected physical environment from the proposed amendments. The IEC found that potential land use changes arising from the conversion of commercial or multi-family uses to single-family condominiums could be mitigated with requirements defining and

setting minimum standards for mixed-use development including a deed-restricted component.

Based on the review of the evidence, the analysis and conclusions in the IEC determined that the amendments with mitigation will not have a significant impact on the environment. Therefore, a Finding of No Significant Effect with mitigation will be prepared.

The IEC did not evaluate potential environmental impacts of any specific projects. Project level environmental analysis will be required based on the design of specific projects that may be submitted pursuant to the amendment.

Chapter 4 Findings: The following findings must be made prior to adopting the TAP Amendment:

1. Finding: The proposed Area Plan Amendment is consistent with, and will not adversely affect implementation of the Regional Plan, including all applicable Goals and Policies, Community Plan/Plan Area Statements, the TRPA Code of Ordinances, and other TRPA plans and programs.

Rationale: The proposed amendments include adding SFDs, limited to condominiums, to the list of permissible uses for IVCRZ SA1 and adding TAP Land Use Policy (LU) 2-9, currently applicable to the greater IVCRZ, to SA1. LU 2-9 provides, “[s]ingle family dwellings shall only be allowed in IVCRZ when they are part of a mixed-use development or when they are affordable housing units.” The amendments will allow for the condominium form of ownership within SA1 when an approved multiple-family dwelling (MFD) project, with a mixed-use component or limited to affordable housing, is subdivided into airspace condominiums. Mitigations to the proposed amendment define and set minimum standards for mixed-use development to ensure that approved mixed-use projects meet the goals and policies of the Regional Plan. Under current zoning, units in an MFD development within SA1 may only be rented since subdivision into SFD condominiums is prohibited.

Land Use Policy 4.6 of TRPA’s Goals and Policies encourages the development of Area Plans that improve upon existing Plan Area Statements and Community Plans or other TRPA regulations in order to be responsive to the unique needs and opportunities of the various communities in the Tahoe Region. The amendments include all required elements identified in Land Use Policies 4.8, 4.9 and 4.10 as demonstrated in the Conformance Review Checklist.

The amendments and mitigations were prepared in conformance with the substantive and procedural requirements of the Goals and Policies, as implemented through TRPA Code of Ordinances, Chapter 13, *Area Plans*. The TAP is consistent with the Tahoe Regional Plan and TRPA Code of Ordinances, as shown in the Conformance Review Checklist and as demonstrated by the IEC.

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

TRPA relies upon the amendments' accompanying environmental documentation, Staff's professional analysis, and prior plan level documentation, including findings and EISs, to reach the fundamental conclusions regarding the amendments' consistency with the Regional Plan and thresholds. A project that is consistent with all aspects of the Regional Plan and that does not adversely affect any threshold is, by definition, consistent with compliance measures, indicators and targets. In order to increase its analytical transparency, TRPA has prepared worksheets related specifically to the 4.4.2 considerations, which set forth the 222 compliance and supplemental compliance measures, the 178 indicators and additional factors, and interim and final targets. Effects of the proposed TAP amendments on these items, if any, are identified and to the extent possible described.

Based on the IEC, the RPU EIS, the TAP IEC, the RPU and RTP findings made by the TRPA Governing Board, the Section 4.4.2 findings, and using applicable measurement standards consistent with the available information, the amendments with mitigation will not adversely affect applicable compliance and supplemental compliance measures, indicators, additional factors, and attainment of targets by the dates identified in the 2019 Threshold Evaluation. The TAP incorporates and/or implements relevant compliance measures, and with the implementation of the measures with respect to development within the TAP, the effects are not adverse, and with respect to some measures, are positive. The amendments do not change the TAP's design standards or compliance measures. (See the IEC, TAP Amendment Conformity Checklist and Compliance Measures Worksheet)

Washoe County anticipates that implementation of the amendments with mitigation could accelerate threshold gains by encouraging the redevelopment of an aging town center as demonstrated below.

Section 4.4.2.B also requires TRPA to disclose the impact of the proposed amendments on its cumulative accounting of units of use (e.g., residential allocations, commercial floor area). The TAP Amendment does not affect the cumulative accounting of units of use as no additional residential, commercial,

tourist, or recreation allocations are proposed or allocated as part of these amendments.

Similarly, Section 4.4.2.C requires TRPA to confirm whether the proposed amendments are within the remaining capacity for development (e.g., water supply, sewage, etc.) identified in the environmental documentation for the RPU. The TAP does not allocate capacity or authorize any particular development. To the extent the amendments enable the use of redevelopment incentives, those incentives are within the scope of the incentives analyzed by the RPU EIS.

TRPA therefore finds that the amendments with mitigation are consistent with and will not adversely affect implementation of the RPU, including all applicable Goals and Policies, Community Plans, Plan Area Statements, the TRPA Code or Ordinances, and other TRPA plans and programs.

2. Finding: The proposed ordinance and rule amendments will not cause the environmental threshold carrying capacities to be exceeded.

Rationale: As demonstrated in the completed IEC, no significant environmental effects were identified as a result of the proposed amendments with mitigation, and the IEC did not find any thresholds that would be adversely affected or exceeded. Adding SFDs, limited to condominiums in defined mixed-use or affordable housing developments, will have no adverse impact on thresholds compared to the uses currently permissible in SA1. As found above, the Area Plan, as amended with mitigation, is consistent with and will help to implement the Regional Plan.

TRPA reviewed the proposed amendment in conformance with the 222 compliance measures and supplemental compliance measures, the over 178 indicators and additional factors that measure threshold progress and threshold target, and interim attainment dates. The amendments with mitigation will not adversely affect applicable compliance measures, indicators, additional factors and supplemental compliance measures and target dates as identified in the 2019 Threshold Evaluation indicator summaries. TRPA anticipates that implementation of the TAP will accelerate threshold gains as demonstrated below. Because the principal beneficial impacts of implementation of the TAP depend upon the number and size of redevelopment projects, the specific extent and timing or rate of effects of the TAP cannot be determined at this time. However, pursuant to Chapter 13 of the TRPA Code of Ordinances, TRPA will monitor all development projects within the TAP through quarterly and annual reports. These reports will then be used to evaluate the status and trend of the threshold every four years.

The amendments do not affect the cumulative accounting of units of use as no additional residential, commercial, tourist or recreation allocations are proposed or allocated as part of this Regional Plan amendment. Any allocations used as a result of these amendments would be taken from available pools held by Washoe County or purchased or exchanged through the Development Rights Program. Accounting for units of use, resource utilization and threshold attainment will occur as part of the project review and approval process.

The amendments with mitigation do not affect the amount of the remaining capacity available, as the remaining capacity for water supply, sewage collection and treatment, recreation and vehicle miles travelled have been identified and evaluated in the RPU EIS and/or RTP IEC. No changes to the overall capacity are proposed in these amendments. TRPA therefore finds that the amendments will not cause the thresholds to be exceeded.

3. Finding: Wherever federal, state or local air and water quality standards applicable for the Region, the strictest standards shall be attained, maintained, or exceeded pursuant to Article V(d) of the Tahoe Regional Planning Compact.

Rationale: Based on the following: (1) TAP Amendment IEC; (2) RPU EIS; (3) RTP IEC; and (4) 2019 Threshold Evaluation Report, adopted by the Governing Board, no applicable federal, state, or local air and water quality standard will be exceeded by adoption of the amendments. The proposed amendments do not affect or change the federal, state, or local air and water quality standards applicable for the Region. Projects developed under the TAP will meet the strictest applicable air quality standards and implement water quality improvements consistent with TRPA Best Management Practices (BMPs) requirements and the Lake Tahoe Total Maximum Daily Load (TMDL) and County's Pollutant Load Reduction Plan (PLRP). Federal, State, and local air and water quality standards remain applicable for all parcels in the TAP, thus ensuring environmental standards will be achieved or maintained pursuant to the Bi-State Compact.

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

Rationale: **TAP Amendments and Threshold Gain**

The TAP, adopted in 2021, identifies the need to diversify and provide support for varying housing options, specifically in Town Centers. The proposed amendments accomplish this by affording property owners in SA1 the option to include SFDs, as airspace condominiums in mixed-use or affordable residential developments, in future development projects. Mitigations address the impacts of a proliferation of residential development on commercial/residential mix and housing affordability by requiring minimum standards for mixed use development including a deed-restricted component. The amendments will incentivize residential mixed-use redevelopment in the Town Center by increasing opportunities for economically viable projects.

The TAP amendments accelerate threshold gain including water quality restoration, scenic quality improvement, and other ecological benefits, by supporting environmental redevelopment opportunities and Environmental Improvement Program (EIP) investments. These redevelopment incentives are intended to increase the rate of redevelopment and will likewise increase the rate of threshold gain by accelerating the application of controls designed to enhance water quality, air quality, soil conservation, scenic quality and recreational improvements to projects that wouldn't otherwise be redeveloped absent TAP provisions.

The TAP's Development and Design Standards represent a significant step forward in enhancing the aesthetics of the built environment and will result in improvements to the scenic threshold as projects are approved and built. Redevelopment of existing Town Centers is identified in the RPU as a high priority.

As described in more specific detail below, the amendments beneficially affect multiple threshold areas.

A. Water Quality

The 2019 Threshold Evaluation found that the trend in reduced lake clarity has been slowed. The continued improvement is a strong indication that the actions of partners in the Region are contributing to improved clarity and helping TRPA attain one of its signature goals.

An accelerated rate of redevelopment within the TAP will result in accelerated water quality benefits. Each redevelopment project is required to comply with strict development standards including water quality Best Management Practices ("BMP") and coverage mitigation requirements and will provide additional opportunities for implementing area wide water quality systems.

B. Air Quality

The 2019 Threshold Evaluation found that the majority of air quality standards are in attainment and observed change suggests that conditions are improving or stable. Actions implemented to improve air quality in the Lake Tahoe Region occur at the national, state, and regional scale. The U.S. Environmental Protection Agency and state agencies, such as the California Air Resources Board, have established vehicle tail-pipe emission standards and industrial air pollution standards. These actions have resulted in substantial reductions in the emissions of harmful pollutants at state-wide and national scales and likely have contributed to improvement in air quality at Lake Tahoe. At a regional scale, TRPA has established ordinances and policies to encourage alternative modes of transportation and to reduce vehicle idling by prohibiting the creation of new drive-through window establishments.

Facilitating projects within the approved Area Plans is an integral component in implementing regional air quality strategies and improvements at a community level. (TRPA Goals and Policies: Chapter 2, Land Use). Because the land use and

transportation strategies identified in the TAP lead to implementation of the Regional Plan, they directly contribute to achieving and maintaining the Air Quality threshold.

One of the main objectives of the TAP is to encourage the redevelopment of the existing built environment and to provide access to recreational opportunities from walking and bike paths, as well as provide greater access to transit. Replacing older buildings with newer, more energy efficient buildings that take advantage of the Washoe County's Green Building Program will also help to improve air quality and ensure the attainment of air quality standards.

TRPA's 2020 *Regional Transportation Plan: Linking Tahoe (RTP)* includes an analysis of its conformity with the California State Implementation Plan to ensure that the RTP remains consistent with State and local air quality planning work to achieve and/or maintain the national ambient air quality standards (NAAQS). The proposed amendment does not propose changes to land use assumptions for mixed-use assigned to the amendment area and the TAP would continue to promote higher density residential uses within one-quarter mile of transit, commercial, and public service uses, and therefore would not change the conformity determination by state regulators.

Per Chapter 2 of the TAP, environmental redevelopment offers the best path to sustainable development by directing the remaining development capacity in the Region into areas with existing development and infrastructure, promoting economic activity, replacing sub-standard development with more energy-efficient and environmentally friendly structures, and creating more compact walkable and bikeable Town Centers. Allowing SFDs, limited to airspace condominiums, in SA1, a Town Center, provides additional housing options consistent with many goals and policies identified in the TAP, including the creation of walkable Town Centers and reduced vehicle-miles traveled needed to meet the air quality goals of the Regional Plan. Mitigations defining and setting minimum standards for mixed-use development further promote walkable Town Centers and promote housing options for a range of income levels.

C. Soil Conservation

The 2019 Threshold Evaluation found negligible change in the total impervious cover in the Region over the last five years and the majority of soil conservation standards in attainment. While the permitting process of partners has been effective in focusing development on less sensitive lands and encouraging removal of impervious cover from sensitive areas, there is still much work to be done. Plans for large scale SEZ restoration, recent improvements in the Development Rights program, and implementation of the Area Plans will continue to help achieve SEZ restoration goals.

Today, most if not all developed commercial and tourist properties exceed the 50 percent maximum land coverage allowed in the TAP. Several commercial properties within the subject area average 90% coverage. This indicates that future

redevelopment would be required to implement excess land coverage mitigation. Furthermore, redevelopment permitting would require these properties to come into modern site design standards including landscaping, BMPs, setbacks, etc. These standards would likely result in the removal of existing land coverage for properties that are severely overcovered. Any project developed as a result of the amendments would include excess coverage mitigation. Therefore, the amendments will help to accelerate threshold gain through soil conservation.

D. Scenic Quality

The 2019 Threshold Evaluation found that scenic gains were achieved in developed areas along roadways and scenic resources along the lake's shoreline, the areas most in need of additional scenic improvement. Overall, 93% of the evaluated scenic resource units met the threshold standard and no decline in scenic quality was documented in any indicator category.

Future redevelopment within the subject area is likely to result in a significant improvement to scenic quality from the roadway and will not be allowed to degrade the shoreline scenic attainment. Redevelopment will be required to comply with the following TAP Goals and Policies:

Goal LU6: Strengthen economic activity in Incline Village and Crystal Bay by creating pedestrian-friendly environments in mixed-use and tourist regulatory zones with upgraded aesthetics, architecture, and landscaping. Reduce the visual prominence of parking lots and asphalt.

Goal C5: Improve and protect the scenic quality and tranquility of the planning area. Protect and enhance scenic views and vistas from public areas.

E. Vegetation

The 2019 Threshold Evaluation found that vegetation in the Region continues to recover from the impacts of legacy land use. The majority of vegetation standards that are currently not in attainment relate to common vegetation in the Region. This finding is consistent with those of past threshold evaluations. As the landscape naturally recovers from the impacts of historic logging, grazing, and ground disturbance activities over the course of this century, many of the standards are expected to be attained.

SA1 is a developed urban area. Of the 42 properties, only nine are vacant and, of those nine, two were previously developed and have an approved development project permit. The undeveloped properties have native vegetation. The proposed amendments would not alter or revise the regulations pertaining to native vegetation protection during construction. Adding SFDs, limited to condominiums, would not increase tree or vegetation removal. SA 1 is not within TRPA's Conservation or Recreation land use classifications.

F. Recreation

The 2019 Threshold Evaluation found that land acquisition programs and the Lake Tahoe Environmental Improvement Program have contributed to improved access and visitor and resident satisfaction with the quality and spectrum of recreation opportunities. Partner agencies have improved existing recreation facilities and created new ones, including providing additional access to Lake Tahoe, hiking trailheads, and bicycle trails. Today's emerging concerns are transportation access to recreation sites and maintaining quality recreation experiences as demand grows, concerns that may require the Region to revisit policies and goals for the recreation threshold standards.

There are several recreation sites located just east of SA 1 off State Route 28. These include an 18-hole golf course, ball fields and a skate park. The TAP includes goals and policies regarding maintaining, improving and expanding recreation facilities and providing enhanced access through the construction of sidewalks and bike paths and improving public transit. The proposed amendments do not include any changes to recreational land uses or policies, nor does it eliminate a planned recreational use in the TAP.

The approval of any project proposing the creation of additional recreational capacity would be subject to subsequent project-level environmental review and permitting and, if applicable, would be subject to the Persons At One Time (PAOT) system of recreation allocations administered by TRPA as described in Section 50.9 (Regulation of Additional Recreation Facilities) of the TRPA Code of Ordinances. No additional PAOTs are proposed by the amendment.

G. Fisheries

While the 2019 Threshold Evaluation found standards for fisheries to generally be in attainment, the standards focus on physical habitat requirements that may not reflect the status of native fish populations. Recent population surveys in Lake Tahoe suggest significant declines in native fish species in parts of the nearshore. Declines are likely the result of impacts from the presence of aquatic invasive species in the lake. While efforts to prevent new invasive species from entering the lake have been successful, mitigating the impact of previously introduced existing invasive species remains a high priority challenge. Invasive species control projects are guided by a science-based implementation plan. Ensuring native fish can persist in the Region and the restoration of the historic trophic structure to the lake will likely require partners to explore novel methods to control invasive species and abate the pressure they are placing on native species. Climate change driven shifts in the timing and form of precipitation in the Region pose a longer-term threat to native fish that may need to be monitored.

BMPs required for project development would improve water quality and thus could contribute to improved riparian and lake conditions in receiving water bodies. The proposed amendments will not alter the Resource Management and Protection Regulations, Chapters 60 through 68, of the TRPA Code of Ordinances. Chapter 63:

Fish Resources includes the provisions to ensure the projection of fish habitat and provide for the enhancement of degraded habitat. Development within the TAP could benefit the Fisheries Threshold through Goals and Policies aimed at the restoration of SEZs and implementation of BMPs.

H. Wildlife

The 2019 Threshold Evaluation found that twelve of the 16 wildlife standards are in attainment. Over 50 percent of the land area in the Tahoe Region is designated for protection of listed special status species. Populations of special interest species are either stable or increasing.

Future redevelopment projects in SA1 would be subject to project-level environmental review and permitting at which time the proposals would be required to demonstrate compliance with all federal, state, and TRPA regulations pertaining to the protection of animal species. (Section 62.4 of the TRPA Code). At a project level, potential effects to animal species would be evaluated based on applicable species' distribution and known occurrences relative to the project area and the presence of suitable habitat for the species in or near the project area. The analysis included in the IEC concludes the amendments will not change development standards (e.g., habitat protections) that could lead to changes in biological resources.

Implementation of the proposed amendments would not result in the reduction in the number of any unique, rare, or endangered species of animals, including waterfowl.

I. Noise

The 2019 Threshold Evaluation found that Ambient noise levels in seven of nine land-use categories are in attainment with standards, but because of the proximity of existing development to roadways just two of seven transportation corridors are in attainment with ambient targets. Due to insufficient data, status determinations were not possible for nearly half of the single event noise standards. Limited noise monitoring resources were prioritized towards collecting more robust information to analyze ambient noise standards, which are more conducive to influential management actions than are single event sources. TRPA continues to update and evaluate its noise monitoring program to ensure standards are protective and realistically achievable.

As discussed in the IEC, the TAP amendments would not alter noise policies and the adopted TRPA CNEL threshold standards, and Regional Plan and General Plan noise policies would continue to be applied.

Noise increases associated with traffic under redevelopment buildout conditions would be similar to existing noise levels as traffic levels are relatively the same between existing and the new allowed use (SFD condominiums).

III. Conclusion

Based on the foregoing, the completion of the IEC, the previously certified RPU EIS, RTP IEC and the findings made on December 12, 2012 for the RPU, TRPA finds the Regional Plan and all of its elements, as amended by the TAP amendments with mitigation, achieves and maintains the thresholds. As described above in more detail, the amendments with mitigation actively promote threshold achievement and maintenance by, *inter alia*, (1) incentivizing environmentally beneficial redevelopment, and (2) facilitating multi-use development in proximity to alternative modes of transportation in order to reduce vehicle miles traveled (VMT) and create a walkable Town Center. In addition, as found in Chapter 4 Findings 1 through 3 and the Chapter 13 Findings, no element of the amendments with mitigation interfere with the efficacy of any of the other elements of the Regional Plan. Thus, the Regional Plan, as amended by the TAP amendments, will continue to achieve and maintain the thresholds.

Chapter 13 Findings: The following findings must be made prior to adopting amendments to the TAP:

1. Finding: The proposed Area Plan Amendment is consistent with and furthers the goals and policies of the Regional Plan.

Rationale: Regional Plan Land Use Policy 4.6 encourages the development of area plans that supersede existing plan area statements and community plans or other TRPA regulations in order to be responsive to the unique needs and opportunities of communities. The proposed TAP amendments with mitigation were found to be consistent with the goals and policies of the Regional Plan, as described in the Area Plan Conformance Checklist and as described in Chapter 4, Finding #1, above.

Per Chapter 2 of the Tahoe Area Plan, environmental redevelopment offers the best path to sustainable development by directing the remaining development capacity in the Region into areas with existing development and infrastructure, promoting economic activity, replacing sub-standard development with more energy-efficient and environmentally friendly structures, and creating more compact walkable and bikeable Town Centers. Allowing single family dwellings, limited to air space condominiums in defined mixed-use or affordable developments, in SA1 of the IVCRZ, a Town Center, provides additional housing and development options consistent with many goals and policies identified in the Tahoe Area Plan, including the creation of walkable Town Centers.

The proposed amendments are intended to encourage development/redevelopment in the Town Center by allowing the division of MFDs in mixed-use projects for individual ownership, *i.e.* SFDs, as airspace condominiums, as an additional option for development. Mitigations further define and set minimum standards for mixed-use development aimed at furthering the goals and policies of the Regional Plan.

Policy LU7-1 of the TAP directs the County to identify barriers to redevelopment

within Town Centers and provides that amendments to the TAP with mitigation should be pursued to remove barriers or otherwise facilitate redevelopment in these areas. The amendment will incentivize appropriate mixed-use redevelopment in the Town Center by increasing opportunities for economically viable projects that support walkable Town Centers and housing options for a mix of income levels.

Attachment E
Initial Environmental Checklist



**TAHOE
REGIONAL
PLANNING
AGENCY**

Mail

PO Box 5310
Stateline, NV 89449-5310

Location

128 Market Street
Stateline, NV 89449

Contact

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

***INITIAL ENVIRONMENTAL CHECKLIST
FOR DETERMINATION OF ENVIRONMENTAL IMPACT***

Project Name:

APN/Project Location:

County/City:

Project Description:



Mail
 PO Box 5310
 Stateline, NV 89449-5310

Location
 128 Market Street
 Stateline, NV 89449

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

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

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

I. Environmental Impacts

1. Land

Current and historic status of soil conservation standards can be found at the links below:

- [Impervious Cover](#)
- [Stream Environment Zone](#)

Will the proposal result in:

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

Discussion



2. Air Quality

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

- [Carbon Monoxide \(CO\)](#)
- [Nitrate Deposition](#)
- [Ozone \(O3\)](#)
- [Regional Visibility](#)
- [Respirable and Fine Particulate Matter](#)
- [Sub-Regional Visibility](#)

Will the proposal result in:

	Yes	No	No, with mitigation	Data insufficient
a. Substantial air pollutant emissions?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Deterioration of ambient (existing) air quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. The creation of objectionable odors?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Alteration of air movement, moisture or temperature, or any change in climate, either locally or regionally?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Increased use of diesel fuel?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion



3. Water Quality

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

- [Aquatic Invasive Species](#)
- [Deep Water \(Pelagic\) Lake Tahoe](#)
- [Groundwater](#)
- [Nearshore \(Littoral\) Lake Tahoe](#)
- [Other Lakes](#)
- [Surface Runoff](#)
- [Tributaries](#)
- [Load Reductions](#)

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

Discussion



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4. Vegetation

Current and historic status of vegetation preservation standards can be found at the links below:

- [Common Vegetation](#)
- [Late Seral/Old Growth Ecosystems](#)
- [Sensitive Plants](#)
- [Uncommon Plant Communities](#)

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

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5. Wildlife

Current and historic status of special interest species standards can be found at the links below:

- [Special Interest Species](#)

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

- [Instream Flow](#)
- [Lake Habitat](#)
- [Stream Habitat](#)

Will the proposal result in:

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

Discussion

6. Noise

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

- [Cumulative Noise Events](#)
- [Single Noise Events](#)

Will the proposal result in:

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

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7. Light and Glare

Will the proposal:

	Yes	No	No, with mitigation	Data insufficient
a. Include new or modified sources of exterior lighting?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Create new illumination which is more substantial than other lighting, if any, within the surrounding area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Cause light from exterior sources to be cast off -site or onto public lands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Create new sources of glare through the siting of the improvements or through the use of reflective materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

8. Land Use

Will the proposal:

	Yes	No	No, with mitigation	Data insufficient
a. Include uses which are not listed as permissible uses in the applicable Area Plan, Plan Area Statement, adopted Community Plan, or Master Plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Expand or intensify an existing non-conforming use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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9. Natural Resources

Will the proposal result in:

	Yes	No	No, with mitigation	Data insufficient
a. A substantial increase in the rate of use of any natural resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Substantial depletion of any non-renewable natural resource?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

10. Risk of Upset

Will the proposal:

	Yes	No	No, with mitigation	Data insufficient
a. Involve a risk of an explosion or the release of hazardous substances including, but not limited to, oil, pesticides, chemicals, or radiation in the event of an accident or upset conditions?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Involve possible interference with an emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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11. Population

Will the proposal:

	Yes	No	No, with mitigation	Data insufficient
a. Alter the location, distribution, density, or growth rate of the human population planned for the Region?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Include or result in the temporary or permanent displacement of residents?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

12. Housing

Will the proposal:

	Yes	No	No, with mitigation	Data insufficient
a. Affect existing housing, or create a demand for additional housing? <i>To determine if the proposal will affect existing housing or create a demand for additional housing, please answer the following questions:</i>				
1. Will the proposal decrease the amount of housing in the Tahoe Region?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposal decrease the amount of housing in the Tahoe Region historically or currently being rented at rates affordable by lower and very-low-income households?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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13. Transportation / Circulation

Will the proposal result in:

	Yes	No	No, with mitigation	Data insufficient
a. Generation of 650 or more new average daily Vehicle Miles Travelled?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Changes to existing parking facilities, or demand for new parking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Substantial impact upon existing transportation systems, including highway, transit, bicycle or pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Alterations to present patterns of circulation or movement of people and/or goods?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Alterations to waterborne, rail or air traffic?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Increase in traffic hazards to motor vehicles, bicyclists, or pedestrians?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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14. Public Services

Will the proposal have an unplanned effect upon, or result in a need for new or altered governmental services in any of the following areas?:

	Yes	No	No, with mitigation	Data insufficient
a. Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Parks or other recreational facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Maintenance of public facilities, including roads?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Other governmental services?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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15. Energy

Will the proposal result in:

	Yes	No	No, with mitigation	Data insufficient
a. Use of substantial amounts of fuel or energy?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Substantial increase in demand upon existing sources of energy, or require the development of new sources of energy?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion:

16. Utilities

Except for planned improvements, will the proposal result in a need for new systems, or substantial alterations to the following utilities:

	Yes	No	No, with mitigation	Data insufficient
a. Power or natural gas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Communication systems?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Utilize additional water which amount will exceed the maximum permitted capacity of the service provider?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Utilize additional sewage treatment capacity which amount will exceed the maximum permitted capacity of the sewage treatment provider?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Storm water drainage?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Solid waste and disposal?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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17. Human Health

Will the proposal result in:

	Yes	No	No, with mitigation	Data insufficient
a. Creation of any health hazard or potential health hazard (excluding mental health)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Exposure of people to potential health hazards?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

18. Scenic Resources / Community Design

Current and historic status of the scenic resources standards can be found at the links below:

- [Built Environment](#)
- [Other Areas](#)
- [Roadway and Shoreline Units](#)

Will the proposal:

	Yes	No	No, with mitigation	Data insufficient
a. Be visible from any state or federal highway, Pioneer Trail or from Lake Tahoe?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Be visible from any public recreation area or TRPA designated bicycle trail?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Block or modify an existing view of Lake Tahoe or other scenic vista seen from a public road or other public area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Be inconsistent with the height and design standards required by the applicable ordinance, Community Plan, or Area Plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Be inconsistent with the TRPA Scenic Quality Improvement Program (SQIP) or Design Review Guidelines?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

19. Recreation

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

- [Fair Share Distribution of Recreation Capacity](#)
- [Quality of Recreation Experience and Access to Recreational Opportunities](#)

Will the proposal:

	Yes	No	No, with mitigation	Data insufficient
a. Create additional demand for recreation facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Create additional recreation capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Have the potential to create conflicts between recreation uses, either existing or proposed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Result in a decrease or loss of public access to any lake, waterway, or public lands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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20. Archaeological / Historical

Will the proposal result in:

	Yes	No	No, with mitigation	Data insufficient
a. An alteration of or adverse physical or aesthetic effect to a significant archaeological or historical site, structure, object or building?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Is the proposed project located on a property with any known cultural, historical, and/or archaeological resources, including resources on TRPA or other regulatory official maps or records?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Is the property associated with any historically significant events and/or sites or persons?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Does the proposal have the potential to cause a physical change which would affect unique ethnic cultural values?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Will the proposal restrict historic or pre-historic religious or sacred uses within the potential impact area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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21. Findings of Significance

	Yes	No	No, with mitigation	Data insufficient
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California or Nevada history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (A short-term impact on the environment is one which occurs in a relatively brief, definitive period of time, while long-term impacts will endure well into the future.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Does the project have impacts which are individually limited, but cumulatively considerable? (A project may impact on two or more separate resources where the impact on each resource is relatively small, but where the effect of the total of those impacts on the environmental is significant?)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Does the project have environmental impacts which will cause substantial adverse effects on human being, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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DECLARATION:

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

Signature:

_____ at _____
Person preparing application County Date

Applicant Written Comments: (Attach additional sheets if necessary)

Determination:

On the basis of this evaluation:

- a. The proposed project could not have a significant effect on the environment and a finding of no significant effect shall be prepared in accordance with TRPA's Rules of Procedure YES NO
- b. The proposed project could have a significant effect on the environment, but due to the listed mitigation measures which have been added to the project, could have no significant effect on the environment and a mitigated finding of no significant effect shall be prepared in accordance with TRPA's Rules and Procedures. YES NO
- c. The proposed project may have a significant effect on the environment and an environmental impact statement shall be prepared in accordance with this chapter and TRPA's Rules of Procedures. YES NO

Signature of Evaluator

Date _____

Title of Evaluator

ATTACHMENT E

EXHIBIT A

IEC Discussion Continued

Project Description Continued:

As noted above, the proposed amendment could result in additional development or the potential conversion of existing development. The ability to create individual ownership airspace units generally allows for higher per unit sale prices creating a potential incentive to develop condominiums over other uses. In addition, Washoe County currently allows one short-term vacation rental (“STR”) per legal parcel. As a result, a typical MFD development would be limited to one STR. Under the proposed amendment, the ability to divide the MFD into individual parcel units could increase the number of STRs under the “one per parcel” allowance. Around the basin, the ability to “condominiumize” and STR use aids a general shift from other uses (e.g., commercial) into SFD residential and reduces the likelihood of affordable housing. A mitigation to this IEC aims to address affordable housing impacts and the potential shift of uses to SFD by defining and setting minimum standards for mixed-use development, including a required deed-restricted component. This IEC also examines whether the potential increase in SFD/STRs within SA 1 could result in adverse environmental impacts different than what is currently allowed.

Special Area 1, comprised of 42 parcels, is substantially built out with shopping centers, restaurants, banks, retail stores and commercial offices. Of the 42 parcels, twelve parcels are undeveloped. Seven of the 12 parcels are privately-owned vacant parcels, two are approved for a 40-unit MFD project known as Nine 47 Tahoe (“Nine 47”) which will be deed restricted to prohibit short-term rentals, or STRs. There are three existing residential units on the second level of a 2-story structure located on a parcel in SA 1 (Commercial space occupies the lower level). The remaining 35+/- developed commercial properties in SA 1 could be redeveloped and converted into residential units and subdivided under the proposed amendments. While it is unreasonable to speculate as to the extent of such redevelopment/conversions, it is likely that some may occur (e.g., the recent Latitude 39 project that redeveloped commercial property into condos). Thus, as a result of the proposed amendment, there could potentially be additional SFD condos (that could be rented as STRs, an existing permitted use) in Special Area 1. This impact is mitigated by a mixed-use definition and minimum standards which clarify LU2-9 and ensure that new SFD condos are located in mixed-use developments with an affordable component or are affordable residential units.

Land Use Discussion Continued:

TRPA’s definition of SFD and MFD (up to a fourplex) includes vacation home rentals, or STRs. Washoe County deems STRs to be a residential use.

https://www.washoecounty.gov/csd/planning_and_development/short_term_rentals/FAQ.php

) STRs are therefore a residential, not a tourist accommodation, use. Under the County's Development Code, only one STR may be permitted per parcel. Thus, a 20-unit MFD development could have only one STR. If the same MFD development was subdivided into 20 SFD condos, the development could have 20 STRs. The amendment therefore could result in an increase in the number of STRs in SA 1. However, where STRs are a residential use and the IEC demonstrates there is no appreciable difference between MFDs, SFD condos or STRs in potential impacts to TRPA's nine threshold categories, the amendment's impact on land use is insignificant.

Population Discussion Continued:

A mitigation requiring that SFD is only permitted with defined mixed-use development or affordable housing preserves non-residential uses in SA1 and renders the impact insignificant. Additionally, any residential displacement is mitigated through this requirement along with the requirement that any housing rented at an affordable rate and converted to SFD is replaced 1:1.

Housing Discussion Continued:

While it could be argued that new luxury housing creates additional demand for services and thus new demand for workforce units, the mitigation to this amendment addresses this concern by requiring new deed-restricted units to offset increased demand.

Findings of Significance Continued:

Allowing MFD projects to be subdivided into SFD condos as proposed in this amendment could increase the number of STRs in SA 1 because Washoe County currently allows one STR per legal parcel. This IEC and LSC's analysis demonstrate that the potential impacts of STRs would be less than significant.

Attachment F
Conformity Checklist

Attachment F

**Tahoe Regional Planning Agency
Area Plan Finding of Conformity Checklist**

AREA PLAN INFORMATION

Area Plan Name: Tahoe Area Plan (TAP)
Lead Agency: Washoe County
Submitted to TRPA: February 8, 2023
TRPA File No: N/A

CONFORMITY REVIEW

Review Stage: Final Review
Conformity Review Date: February 9, 2023
TRPA Reviewer: Jacob Stock, AICP

HEARING DATES

Lead Agency Approval: January 17 or 24, 2023
APC: March 8, 2023
Governing Board: March 29, 2023
Appeal Deadline: N/A
MOU Approval Deadline: N/A

CHARACTERISTICS

Geographic Area and Description: Incline Village Commercial Regulatory Zone, Special Area 1
Land Use Classifications: Mixed Use (Town Center Overlay)

Area Plan Amendment Summary: The proposed amendments affect TAP Appendix A (Development Code Standards), Section 110.220.145 Incline Village Commercial Regulatory Zone Allowable Land Uses and Section 110.220.150 Incline Village Commercial Regulatory Zone Special Policies as follows:

- Add Single Family Dwellings, limited to air space condominiums, as an allowed use in Special Area 1 of the Incline Village Commercial Regulatory Zone, and
- Add Tahoe Area Plan Policy LU2-9 as a special policy to Section 110.220.150 Incline Village Commercial Regulatory Zone Special Policies.
- Mitigation defining and setting minimum standards for mixed-use development in Special Area 1.

Conformity Checklist

		TRPA Code Section	Conformity		
			YES	NO	N/A
A. Contents of Area Plans					
1	General	13.5.1	●		
2	Relationship to Other Code Sections	13.5.2	●		
B. Development and Community Design Standards					
<i>Building Height</i>					
1	Outside of Centers	13.5.3			●
2	Within Town Centers	13.5.3			●
3	Within the Regional Center	13.5.3			●
4	Within the High-Density Tourist District	13.5.3			●
<i>Density</i>					
5	Single-Family Dwellings	13.5.3			●
6	Multiple-Family Dwellings outside of Centers	13.5.3			●
7	Multiple-Family Dwellings within Centers	13.5.3			●
8	Tourist Accommodations	13.5.3			●
<i>Land Coverage</i>					
9	Land Coverage	13.5.3			●
10	Alternative Comprehensive Coverage Management	13.5.3.B.1			●
<i>Site Design</i>					
11	Site Design Standards	13.5.3			●
<i>Complete Streets</i>					
12	Complete Streets	13.5.3			●
C. Alternative Development Standards and Guidelines Authorized in an Area Plan					
1	Alternative Comprehensive Coverage Management System	13.5.3.B.1			●
2	Alternative Parking Strategies	13.5.3.B.2			●
3	Areawide Water Quality Treatments and Funding Mechanisms	13.5.3.B.3			●
4	Alternative Transfer Ratios for Development Rights	13.5.3.B.4			●

		TRPA Code Section	Conformity		
			YES	NO	N/A
D. Development Standards and Guidelines Encouraged in Area Plans					
1	Urban Bear Strategy	13.5.3.C.1			●
2	Urban Forestry	13.5.3.C.2			●
E. Development on Resort Recreation Parcels					
1	Development on Resort Recreation Parcels	13.5.3.D			●
F. Greenhouse Gas Reduction					
1	Greenhouse Gas Reduction Strategy	13.5.3.E			●
G. Community Design Standards					
1	Development in All Areas	13.5.3.F.1.a			●
2	Development in Regional Center or Town Centers	13.5.3.F.1.b			●
3	Building Heights	13.5.3.F.2			●
4	Building Design	13.5.3.F.3			●
5	Landscaping	13.5.3.F.4			●
6	Lighting	13.5.3.F.5			●
7	Signing – Alternative Standards	13.5.3.F.6			●
8	Signing – General Policies	13.5.3.F.6			●
H. Modification to Town Center Boundaries					
1	Modification to Town Center Boundaries	13.5.3.G			●
I. Conformity Review Procedures for Area Plans					
1	Initiation of Area Planning Process by Lead Agency	13.6.1			●
2	Initial Approval of Area Plan by Lead Agency	13.6.2			●
3	Review by Advisory Planning Commission	13.6.3			●
4	Approval of Area Plan by TRPA	13.6.4			●
J. Findings for Conformance with the Regional Plan					
<i>General Review Standards for All Area Plans</i>					
1	Zoning Designations	13.6.5.A.1	●		
2	Regional Plan Policies	13.6.5.A.2	●		

		TRPA Code Section	Conformity		
			YES	NO	N/A
3	Regional Plan Land Use Map	13.6.5.A.3			●
4	Environmental Improvement Projects	13.6.5.A.4			●
5	Redevelopment	13.6.5.A.5	●		
6	Established Residential Areas	13.6.5.A.6			●
7	Stream Environment Zones	13.6.5.A.7			●
8	Alternative Transportation Facilities and Implementation	13.6.5.A.8			●
<i>Load Reduction Plans</i>					
9	Load Reduction Plans	13.6.5.B			●
<i>Additional Review Standards for Town Centers and the Regional Center</i>					
10	Building and Site Design Standards	13.6.5.C.1			●
11	Alternative Transportation	13.6.5.C.2			●
12	Promoting Pedestrian Activity	13.6.5.C.3			●
13	Redevelopment Capacity	13.6.5.C.4			●
14	Coverage Reduction and Stormwater Management	13.6.5.C.5			●
15	Threshold Gain	13.6.5.C.6	●		
<i>Additional Review Standards for the High-Density Tourist District</i>					
16	Building and Site Design	13.6.5.D.1			●
17	Alternative Transportation	13.6.5.D.2			●
18	Threshold Gains	13.6.5.D.3			●
K. Area Plan Amendments					
1	Conformity Review for Amendments to an Area Plan	13.6.6	●		
2	Conformity Review for Amendments Made by TRPA to the Regional Plan that Affect an Area Plan – Notice	13.6.7.A			●
3	Conformity Review for Amendments Made by TRPA to the Regional Plan that Affect an Area Plan – Timing	13.6.7.B			●
L. Administration					
1	Effect of Finding of Conformance of Area Plan	13.6.8	●		

		TRPA Code Section	Conformity		
			YES	NO	N/A
2	Procedures for Adoption of Memorandum of Understanding	13.7			●
3	Monitoring, Certification, and Enforcement of an Area Plan	13.8			●
4	Appeal Procedure	13.9			●

Conformity Review Notes

A. CONTENTS OF AREA PLANS

1. General

YES NO N/A

Citation 13.5.1

Requirement An Area Plan shall consist of applicable policies, maps, ordinances, and any other related materials identified by the lead agency, sufficient to demonstrate that these measures, together with TRPA ordinances that remain in effect, are consistent with and conform to TRPA’s Goals and Policies and all other elements of the Regional Plan. In addition to this Section 13.5, additional specific requirements for the content of Area Plans are in subsection 13.6.5.A. The Memorandum of Understanding (MOU) that is associated with an approved Area Plan is a separate, but related, approval and is not part of the Area Plan.

Notes The TAP consists of goals, policies, actions, projects, maps, ordinances, and related materials that conform to the Regional Plan. The adopted land use and zoning maps are consistent with Regional Plan Map 1, *Conceptual Regional Land Use Map*. No modifications to boundaries are proposed.

The proposed amendments make changes only to permissible uses in Special Area 1 (SA1) of the Incline Village Commercial Regulatory Zone (IVCRZ) in Appendix A of the TAP.

2. Relationship to Other Sections of the Code

YES NO N/A

Citation 13.5.2

Requirement This section is intended to authorize development and design standards in Area Plans that are different than otherwise required under this Code. In the event of a conflict between the requirements in this section and requirements in other parts of the Code, the requirements in this section shall apply for the purposes of developing Area Plans. Except as otherwise specified, Code provisions that apply to Plan Area Statements (Chapter 11), Community Plans (Chapter 12), and Specific and Master Plans (Chapter 14) may also be utilized in a Conforming Area Plan. If an Area Plan proposes to modify any provision that previously applied to Plan Area Statements, Community Plans, or Specific and Master Plans, the proposed revision shall be analyzed in accordance with Code Chapters 3 and 4.

Notes Under the proposed amendment, development and design standards comply with those prescribed in the Code. The only difference is that single family dwellings (SFDs) will be limited to condominiums.

B. DEVELOPMENT AND COMMUNITY DESIGN STANDARDS

Area plans shall have development standards that are consistent with those in Table 13.5.3-1

MAXIMUM BUILDING HEIGHT

1. **Outside of Centers** YES NO N/A

Citation 13.5.3

Requirement Building height standards shall be consistent with Code Section 37.4.

Notes The proposed amendments make no changes to building height standards outside Centers. The adopted TAP is consistent with Code Section 37.4 for height outside Centers

2. **Within Town Centers** YES NO N/A

Citation 13.5.3

Requirement Building height is limited to a maximum of 4 stories and 56 feet.

Notes The proposed amendments make no changes to building height standards. Height within Town Centers in the adopted TAP are limited to a maximum of 4 stories and 56 feet.

3. **Within the Regional Center** YES NO N/A

Citation 13.5.3

Requirement Building height is limited to a maximum of 6 stories and 95 feet.

Notes There are no Regional Centers in the TAP.

4. **Within the High-Density Tourist District** YES NO N/A

Citation 13.5.3

Requirement Building height is limited to a maximum of 197 feet.

Notes There is no high-density tourist district in the TAP.

DENSITY

5. Single-Family Dwellings

YES NO N/A

Citation 13.5.3

Requirement Single-family dwelling density shall be consistent with Code Section 31.3.

Notes The proposed amendments do not change SFD density. SFDs as condominiums will only be permitted when part of a mixed-use project or when they are affordable housing units and will be subject to existing density standards.

6. Multiple-Family Dwellings outside of Centers

YES NO N/A

Citation 13.5.3

Requirement Multiple-family dwelling density outside of Centers shall be consistent with Code Section 31.3.

Notes The proposed amendments do not change multiple-family dwelling (MFD) density outside Centers. MFD density outside Centers in the adopted TAP is consistent with Code Section 31.3.

7. Multiple-Family Dwellings within Centers

YES NO N/A

Citation 13.5.3

Requirement Multiple-family dwelling density within Centers shall be a maximum of 25 units per acre.

Notes The proposed amendments do not change MFD density within Centers. MFD density within Centers in the adopted TAP is a maximum of 25 units per acre.

8. Tourist Accommodations

YES NO N/A

Citation 13.5.3

Requirement Tourist accommodations (other than bed and breakfast) shall have a maximum density of 40 units per acre.

Notes The proposed amendments do not make any changes to tourist accommodation density.

LAND COVERAGE

9. Land Coverage

YES NO N/A

Citation 13.5.3

Requirement Land coverage standards shall be consistent with Section 30.4 of the TRPA Code.

Notes The proposed amendments do not make any changes to land coverage.

10. **Alternative Comprehensive Coverage Management System** YES NO N/A
See Section C.1 of this document.

SITE DESIGN

11. **Site Design Standards** YES NO N/A
Citation 13.5.3

Requirement Area plans shall conform to Section 36.5 of the TRPA Code.

Notes The proposed amendments do not change site design standards in the TAP which conform to Section 36.5 of the TRPA Code.

COMPLETE STREETS

12. **Complete Streets** YES NO N/A
Citation 13.5.3

Requirement Within Centers, plan for sidewalks, trails, and other pedestrian amenities providing safe and convenient non-motorized circulation within Centers, as applicable, and incorporation of the Regional Bike and Pedestrian Plan.

Notes The proposed amendments do not make any changes to complete street standards.

C. ALTERNATIVE DEVELOPMENT STANDARDS AND GUIDELINES AUTHORIZED IN AREA PLANS

1. **Alternative Comprehensive Coverage Management System** YES NO N/A
Citation 13.5.3.B.1

Requirement An Area Plan may propose a comprehensive coverage management system as an alternative to the parcel-level coverage requirements outlined in Sections 30.4.1 and 30.4.2, provided that the alternative system shall: 1) reduce the total coverage and not increase the cumulative base allowable coverage in the area covered by the comprehensive coverage management system; 2) reduce the total amount of coverage and not increase the cumulative base allowable coverage in Land Capability Districts 1 and 2; and 3) not increase the amount of coverage otherwise allowed within 300 feet of high water of Lake Tahoe (excluding those areas landward of Highways 28 and 89 in Kings Beach and Tahoe City Town Centers within that zone). For purposes of this provision, "total" coverage is the greater of existing or allowed coverage.

Notes Washoe County does not have an alternative comprehensive coverage management system.

2. Alternative Parking Strategies

YES NO N/A

Citation 13.5.3.B.2

- Requirement* An Area Plan is encouraged to include shared or area-wide parking strategies to reduce land coverage and make more efficient use of land for parking and pedestrian uses. Shared parking strategies may consider and include the following:
- Reduction or relaxation of minimum parking standards;
 - Creation of maximum parking standards;
 - Shared parking;
 - In-lieu payment to meet parking requirements;
 - On-street parking;
 - Parking along major regional travel routes;
 - Creation of bicycle parking standards;
 - Free or discounted transit;
 - Deeply discounted transit passes for community residents; and
 - Paid parking management

Notes Washoe County does not have alternative parking strategies. The existing TAP does include policies and standards that mirror some of the listed parking strategies.

3. Areawide Water Quality Treatments and Funding Mechanisms

YES NO N/A

Citation 13.5.3.B.3

- Requirement* An Area Plan may include water quality treatments and funding mechanisms in lieu of certain site-specific BMPs, subject to the following requirements:
- Area-wide BMPs shall be shown to achieve equal or greater effectiveness and efficiency at achieving water quality benefits to certain site-specific BMPs and must infiltrate the 20-year, one-hour storm;
 - Plans should be developed in coordination with TRPA and applicable state agencies, consistent with applicable TMDL requirements;
 - Area-wide BMP project areas shall be identified in Area Plans and shall address both installation and ongoing maintenance;
 - Strong consideration shall be given to areas connected to surface waters;
 - Area-wide BMP plans shall consider area-wide and parcel level BMP requirements as an integrated system;
 - Consideration shall be given to properties that have already installed and maintained parcel-level BMPs, and financing components or area-wide BMP plans shall reflect prior BMP installation in terms of the charges levied against projects that already complied with BMP requirements with systems that are in place and operational in accordance with applicable BMP standards.
 - Area-wide BMP Plans shall require that BMPs be installed concurrent with development activities. Prior to construction of area-wide treatment facilities, development projects shall either install parcel-level BMPs or construct area-wide improvements.

Notes Washoe County has chosen not to develop an area-wide water quality program. This is an optional component.

4. Alternative Transfer Ratios for Development Rights YES NO N/A

Citation 13.5.3.B.4

Requirement Within a Stream Restoration Plan Area as depicted in Map 1 in the Regional Plan, an Area Plan may propose to establish alternative transfer ratios for development rights based on unique conditions in each jurisdiction, as long as the alternative transfer ratios are determined to generate equal or greater environment gain compared to the TRPA transfer ratios set forth in Chapter 51: Transfer of Development.

Notes There are no Stream Restoration Plan Areas in the TAP.

D. DEVELOPMENT STANDARDS AND GUIDELINES ENCOURAGED IN AREA PLANS

1. Urban Bear Strategy YES NO N/A

Citation 13.5.3.C.1

Requirement In Area Plans, lead agencies are encouraged to develop and enforce urban bear strategies to address the use of bear-resistant solid waste facilities and related matters.

Notes No changes are proposed to an urban bear strategy.

2. Urban Forestry YES NO N/A

Citation 13.5.3.C.2

Requirement In Area Plans, lead agencies are encouraged to develop and enforce urban forestry strategies that seek to reestablish natural forest conditions in a manner that does not increase the risk of catastrophic wildfire.

Notes No changes are proposed to an urban forestry strategy.

E. DEVELOPMENT ON RESORT RECREATION PARCELS

1. Development on Resort Recreation Parcels YES NO N/A

Citation 13.5.3.D

Requirement In addition to recreation uses, an Area Plan may allow the development and subdivision of tourist, commercial, and residential uses on the Resort Recreation District parcels depicted on Map 1 of the Regional Plan and subject to the following conditions:

- The parcels must become part of an approved Area Plan;

- Subdivisions shall be limited to “air space condominium” divisions with no lot and block subdivisions allowed;
- Development shall be transferred from outside the area designated as Resort Recreation; and
- Transfers shall result in the retirement of existing development.

Notes There are no resort recreation parcels in the TAP.

F. GREENHOUSE GAS REDUCTION

1. Greenhouse Gas Reduction Strategy

YES NO N/A

Citation 13.5.3.E

Requirement To be found in conformance with the Regional Plan, Area Plans shall include a strategy to reduce emissions of Greenhouse Gases from the operation or construction of buildings. The strategy shall include elements in addition to those included to satisfy other state requirements or requirements of this code. Additional elements included in the strategy may include but are not limited to the following:

- A local green building incentive program to reduce the energy consumption of new or remodeled buildings;
- A low interest loan or rebate program for alternative energy projects or energy efficiency retrofits;
- Modifications to the applicable building code or design standards to reduce energy consumption; or
- Capital improvements to reduce energy consumption or incorporate alternative energy production into public facilities.

Notes The proposed amendments do not change the TAP’s approved GHG reduction strategy.

G. COMMUNITY DESIGN STANDARDS

To be found in conformance with the Regional Plan, Area Plans shall require that all projects comply with the design standards in this subsection. Area Plans may also include additional or substitute requirements not listed below that promote threshold attainment.

1. Development in All Areas

YES NO N/A

Citation 13.5.3.F.1.a

Requirement All new development shall consider, at minimum, the following site design standards:

- Existing natural features retained and incorporated into the site design;
- Building placement and design that are compatible with adjacent properties and designed in consideration of solar exposure, climate, noise, safety, fire protection, and privacy;

- Site planning that includes a drainage, infiltration, and grading plan meeting water quality standards, and
- Access, parking, and circulation that are logical, safe, and meet the requirements of the transportation element.

Notes The proposed amendments do not affect the adopted TAP's site design standards.

2. Development in Regional Center or Town Centers YES NO N/A

Citation 13.5.3.F.1.b

Requirement In addition to the standards above, development in Town Centers or the Regional Center shall address the following design standards:

- Existing or planned pedestrian and bicycle facilities shall connect properties within Centers to transit stops and the Regional Bicycle and Pedestrian network.
- Area Plans shall encourage the protection of views of Lake Tahoe.
- Building height and density should be varied with some buildings smaller and less dense than others.
- Site and building designs within Centers shall promote pedestrian activity and provide enhanced design features along public roadways. Enhanced design features to be considered include increased setbacks, stepped heights, increased building articulation, and/or higher quality building materials along public roadways.
- Area Plans shall include strategies for protecting undisturbed sensitive lands and, where feasible, establish park or open space corridors connecting undisturbed sensitive areas within Centers to undisturbed areas outside of Centers.

Notes The proposed amendments do not affect the adopted TAP's site design standards.

3. Building Heights YES NO N/A

Citation 13.5.3.F.2

Requirement

- Area Plans may allow building heights up to the maximum limits in Table 13.5.3-1 of the Code of Ordinances
- Building height limits shall be established to ensure that buildings do not project above the forest canopy, ridge lines, or otherwise detract from the viewshed.
- Area Plans that allow buildings over two stories in height shall, where feasible, include provisions for transitional height limits or other buffer areas adjacent to areas not allowing buildings over two stories in height.

Notes Building height is set forth in Appendix A of the TAP and is consistent with these standards. No changes are proposed to building height.

4. Building Design YES NO N/A

Citation 13.5.3.F.3

Requirement Standards shall be adopted to ensure attractive and compatible development. The following shall be considered:

- Buffer requirements should be established for noise, snow removal, aesthetic, and environmental purposes.
- The scale of structures should be compatible with existing and planned land uses in the area.
- Viewsheds should be considered in all new construction. Emphasis should be placed on lake views from major transportation corridors.
- Area Plans shall include design standards for building design and form. Within Centers, building design and form standards shall promote pedestrian activity.

Notes Building design is set forth in Appendix A of the TAP and is consistent with these standards. No changes are proposed to these standards.

5. Landscaping YES NO N/A

Citation 13.5.3.F.4

Requirement The following should be considered with respect to this design component of a project:

- Native vegetation should be utilized whenever possible, consistent with Fire Defensible Space Requirements.
- Vegetation should be used to screen parking, alleviate long strips of parking space, and accommodate stormwater runoff where feasible.
- Vegetation should be used to give privacy, reduce glare and heat, deflect wind, muffle noise, prevent erosion, and soften the line of architecture where feasible.

Notes No changes are proposed to these standards.

6. Lighting YES NO N/A

Citation 13.5.3.F.5

Requirement Lighting increases the operational efficiency of a site. In determining the lighting for a project, the following should be required:

- Exterior lighting should be minimized to protect dark sky views, yet adequate to provide for public safety, and should be consistent with the architectural design.
- Exterior lighting should utilize cutoff shields that extend below the lighting element to minimize light pollution and stray light.
- Overall levels should be compatible with the neighborhood light level. Emphasis should be placed on a few, well-placed, low-intensity lights.
- Lights should not blink, flash, or change intensity except for temporary public safety signs.

Notes No change to lighting standards is proposed as part of these amendments.

7. Signing – Alternative Standards YES NO N/A

Citation 13.5.3.F.6

Requirement Area Plans may include alternative sign standards. For Area Plans to be found in conformance with the Regional Plan, the Area Plan shall demonstrate that the sign standards will minimize and mitigate significant scenic impacts and move toward attainment or achieve the adopted scenic thresholds for the Lake Tahoe region.

Notes No change to Chapter 8 – Signs of Appendix B to the TAP is proposed.

8. Signing – General Policies YES NO N/A

Citation 13.5.3.F.6

Requirement In the absence of a Conforming Area Plan that addresses sign standards, the following policies apply, along with implementing ordinances:

- Off-premise signs should generally be prohibited; way-finding and directional signage may be considered where scenic impacts are minimized and mitigated.
- Signs should be incorporated into building design;
- When possible, signs should be consolidated into clusters to avoid clutter.
- Signage should be attached to buildings when possible; and
- Standards for number, size, height, lighting, square footage, and similar characteristics for on-premise signs shall be formulated and shall be consistent with the land uses permitted in each district.

Notes No change is proposed as part of these amendments.

H. MODIFICATION TO TOWN CENTER BOUNDARIES

1. Modification to Town Center Boundaries YES NO N/A

Citation 13.5.3.G

Requirement When Area Plans propose modifications to the boundaries of a Center, the modification shall comply with the following:

- Boundaries of Centers shall be drawn to include only properties that are developed, unless undeveloped parcels proposed for inclusion have either at least three sides of their boundary adjacent to developed parcels (for four-sided parcels), or 75 percent of their boundary adjacent to developed parcels (for non-four-sided parcels). For purposes of this requirement, a parcel shall be considered developed if it includes any of the following: 30 percent or more of allowed coverage already existing on site or an approved but unbuilt project that proposes to meet this coverage standard.
- Properties included in a Center shall be less than ¼ mile from existing Commercial and Public Service uses.

- Properties included in a Center shall encourage and facilitate the use of existing or planned transit stops and transit systems.

Notes The amendments do not include any modifications to the Town Center boundaries.

I. CONFORMITY REVIEW PROCEDURES FOR AREA PLANS

1. Initiation of Area Planning Process by Lead Agency YES NO N/A

Citation 13.6.1

Requirement The development of an Area Plan shall be initiated by a designated lead agency. The lead agency may be TRPA or a local, state, federal, or tribal government. There may be only one lead agency for each Area Plan.

Notes The Tahoe Area Plan has already been adopted.

2. Initial Approval of Area Plan by Lead Agency YES NO N/A

Citation 13.6.2

Requirement If the lead agency is not TRPA, then the Area Plan shall be approved by the lead agency prior to TRPA's review of the Area Plan for conformance with the Regional Plan under this section. In reviewing and approving an Area Plan, the lead agency shall follow its own review procedures for plan amendments. At a minimum, Area Plans shall be prepared in coordination with local residents, stakeholders, public agencies with jurisdictional authority within the proposed Area Plan boundaries, and TRPA staff.

If the lead agency is TRPA, the Area Plan shall require conformity approval under this section by TRPA only. No approval by any other government, such as a local government, shall be required.

Notes The TAP has already been approved by the Lead Agency.

3. Review by Advisory Planning Commission YES NO N/A

Citation 13.6.3

Requirement The TRPA Advisory Planning Commission shall review the proposed Area Plan and make recommendations to the TRPA Governing Board. The commission shall obtain and consider the recommendations and comments of the local government(s) and other responsible public agencies, as applicable. jurisdictional authority within the proposed Area Plan boundaries, and TRPA staff.

Notes The approved TAP was reviewed by the APC.

4. Approval of Area Plan by TRPA YES NO N/A

Citation 13.6.4

Requirement For Area Plans initiated and approved by a lead agency other than TRPA, the Area Plan shall be submitted to and reviewed by the TRPA Governing Board at a public hearing. Public comment shall be limited to issues raised by the public before the Advisory Planning Commission and issues raised by the Governing Board. The TRPA Governing Board shall make a finding that the Area Plan, including all zoning and development Codes that are part of the Area Plan, is consistent with and furthers the goals and policies of the Regional Plan. This finding shall be referred to as a finding of conformance and shall be subject to the same voting requirements as approval of a Regional Plan amendment.

Notes The Governing Board adopted the TAP on March 26, 2021.

J. FINDINGS OF CONFORMANCE WITH THE REGIONAL PLAN

In making the general finding of conformance, the TRPA Governing Board shall make the general findings applicable to all amendments to the Regional Plan and Code set forth in Sections 4.5 and 4.6, and also the following specific review standards:

GENERAL REVIEW STANDARDS FOR ALL AREA PLANS

1. Zoning Designations YES NO N/A

Citation 13.6.5.A.1

Requirement The submitted Area Plan shall identify zoning designations, allowed land uses, and development standards throughout the plan area.

Notes Section 110.220.145 in Appendix A to the AP is being amended to add SFDs, limited to condominiums, as a permissible use in Special Area 1 of the IVCRZ. No changes to existing zoning designation or development standards are proposed.

2. Regional Plan Policies YES NO N/A

Citation 13.6.5.A.2

Requirement The submitted Area Plan shall be consistent with all applicable Regional Plan policies, including, but not limited to, the regional growth management system, development allocations, and coverage requirements.

Notes The TAP contains goals and policies that are in alignment with Regional Plan policies. Consistent with Land Use Policy LU2-9 applicable to the greater IVCRZ, which requires SFDs to be part of a mixed-use project or provide affordable housing, LU2-9 will be added to the special policies in Section 110.22.150 so that it will also apply to Special Area 1.

3. Regional Plan Land Use Map YES NO N/A

Citation 13.6.5.A.3

Requirement The submitted Area Plan shall either be consistent with the Regional Land Use Map or recommend and adopt amendments to the Regional Land Use Map as part of an integrated plan to comply with Regional Plan policies and provide threshold gain.

Notes The proposed amendments are consistent with the Regional Land Use Map and do not require amendments to the Map.

4. Environmental Improvement Projects YES NO N/A

Citation 13.6.5.A.4

Requirement The submitted Area Plan shall recognize and support planned, new, or enhanced Environmental Improvement Projects. Area Plans may also recommend enhancements to planned, new, or enhanced Environmental Improvement Projects as part of an integrated plan to comply with Regional Plan Policies and provide threshold gain.

Notes The TAP recognizes and incorporates the Environmental Improvement Program (EIP). Planned environmental improvement projects are included in the plan. No changes are proposed as part of the amendments.

5. Redevelopment YES NO N/A

Citation 13.6.5.A.

Requirement The submitted Area Plan shall promote environmentally beneficial redevelopment and revitalization within town centers, regional centers and the High Density Tourist District.

Notes The TAP promotes redevelopment within Town Centers by incorporating the incentives established in the 2012 Regional Plan Update. The Town Center is eligible for increased density, coverage, and height as a result of area plan adoption. This promotes compact development and promotes the Regional Plan's land use and transportation strategies. Adding SFDs as an additional permissible use will further incentivize redevelopment in Special Area 1, a Town Center. Including a mixed-use definition and minimum standards will help ensure that new SFD development contributes to walkable town centers and supports affordable housing.

6. Established Residential Areas YES NO N/A

Citation 13.6.5.A.6

Requirement The submitted Area Plan shall preserve the character of established residential areas outside of town centers, regional centers and the High Density Tourist District, while seeking opportunities for environmental improvements within residential areas.

Notes No changes to residential areas outside of Town Centers are proposed as part of these amendments.

7. Stream Environment Zones YES NO N/A

Citation 13.6.5.A.7

Requirement The submitted Area Plan shall protect and direct development away from Stream Environment Zones and other sensitive areas, while seeking opportunities for environmental improvements within sensitive areas. Development may be allowed in disturbed Stream Environment zones within town centers, regional centers and the High-Density Tourist District only if allowed development reduces coverage and enhances natural systems within the Stream Environment Zone.

Notes No changes are proposed under the amendments.

8. Alternative Transportation Facilities and Implementation YES NO N/A

Citation 13.6.5.A.8

Requirement The submitted Area Plan shall identify facilities and implementation measures to enhance pedestrian, bicycling and transit opportunities along with other opportunities to reduce automobile dependency.

Notes No changes are proposed as part of the amendments. However, adding an additional residential use in Special Area 1 will help achieve a walkable and bikeable community.

LOAD REDUCTION PLANS

9. Load Reduction Plans YES NO N/A

Citation 13.6.5.B

Requirement TRPA shall utilize the load reduction plans for all registered catchments or TRPA default standards when there are no registered catchments, in the conformance review of Area Plans.

Notes No changes are proposed as part of the amendments.

ADDITIONAL REVIEW STANDARDS FOR TOWN CENTERS AND THE REGIONAL CENTER

10. Building and Site Design Standards YES NO N/A

Citation 13.6.5.C.1

Requirement The submitted Area Plan shall include building and site design standards that reflect the unique character of each area, respond to local design issues and consider ridgeline and viewshed protection.

Notes No changes to the approved TAP's building and site design standards are proposed as part of these amendments.

11. Alternative Transportation YES NO N/A

Citation 13.6.5.C.2

Requirement The submitted Area Plan shall promote walking, bicycling, transit use and shared parking in town centers and regional centers, which at a minimum shall include continuous sidewalks or other pedestrian paths and bicycle facilities along both sides of all highways within town centers and regional centers, and to other major activity centers.

Notes No changes to alternative transportation are proposed as part of these amendments. However, adding mixed-use standards in Special Area 1 could help achieve a walkable and bikeable community.

12. Promoting Pedestrian Activity YES NO N/A

Citation 13.6.5.C.3

Requirement The submitted Area Plan shall use standards within town centers and regional centers addressing the form of development and requiring that projects promote pedestrian activity and transit use.

Notes The adopted Design Standards promote pedestrian activity through site design, building design, and transportation facility standards and guidelines. Adding an additional residential and mixed-use standards use in Special Area 1 could help achieve a walkable and bikeable community.

13. Redevelopment Capacity YES NO N/A

Citation 13.6.5.C.4

Requirement The submitted Area Plan shall ensure adequate capacity for redevelopment and transfers of development rights into town centers and regional centers.

Notes The proposed amendments will not impact redevelopment capacity.

14. Coverage Reduction and Stormwater Management YES NO N/A

Citation 13.6.5.C.5

Requirement The submitted Area Plan shall identify an integrated community strategy for coverage reduction and enhanced stormwater management.

Notes No changes are proposed as part of these amendments.

15. Threshold Gain YES NO N/A

Citation 13.6.5.C.6

Requirement The submitted Area Plan shall demonstrate that all development activity within Town Centers and the Regional Center will provide for or not interfere with Threshold gain, including but not limited to measurable improvements in water quality.

Notes All development, including any SFD development that may occur as a result of the proposed amendments, is required to adhere to the standards of the TAP which are designed to promote threshold gains including but not limited to scenic, community design, air quality, soils and water quality. No changes to the area plan’s threshold gain strategies are proposed under these amendments.

ADDITIONAL REVIEW STANDARDS FOR THE HIGH-DENSITY TOURIST DISTRICT

- 16. Building and Site Design** YES NO N/A

Citation 13.6.5.D.1

Requirement The submitted Area Plan shall include building and site design standards that substantially enhance the appearance of existing buildings in the High Density Tourist District.

Notes There is no High-Density Tourist District in the TAP.

- 17. Alternative Transportation** YES NO N/A

Citation 13.6.5.D.2

Requirement The submitted Area Plan shall provide pedestrian, bicycle and transit facilities connecting the High-Density Tourist District with other regional attractions.

Notes There is no High-Density Tourist District in the TAP.

- 18. Threshold Gain** YES NO N/A

Citation 13.6.5.D.3

Requirement The submitted Area Plan shall demonstrate that all development activity within the High-Density Tourist District will provide or not interfere with Threshold gain, including but not limited to measurable improvements in water quality. If necessary to achieve Threshold gain, off-site improvements may be additionally required.

Notes There is no High-Density Tourist District in the TAP.

K. AREA PLAN AMENDMENTS

- 1. Conformity Review for Amendments to an Area Plan** YES NO N/A

Citation 13.6.6

Requirement Following approval of an Area Plan, any subsequent amendment to a plan or ordinance contained within the approved Area Plan shall be reviewed by the Advisory Planning Commission and Governing Board for conformity with the requirements of the Regional Plan. Public comment before the Governing Board shall be limited to consideration of issues raised before the Advisory Planning

Commission and issues raised by the Governing Board. The Governing Board shall make the same findings as required for the conformity finding of the initial Area Plan, as provided in subsection 13.6.5; however, the scope of the APC and Governing Board’s review shall be limited to determining the conformity of the specific amendment only. If the Governing Board finds that the amendment to the Area Plan does not conform to the Regional Plan, including after any changes made in response to TRPA comments, the amendment shall not become part of the approved Area Plan.

Notes The proposed amendments to the TAP are narrow in focus and have been reviewed by staff for conformity with the Regional Plan. The APC’s and Governing Board’s review will be limited to determining the conformity of the specific amendments.

2. Conformity Review for Amendments Made by TRPA to the Regional Plan that Affect an Area Plan - Notice YES NO N/A

Citation 13.6.7.A

Requirement TRPA shall provide lead agencies with reasonable notice of pending amendments that may affect Area Plans. TRPA also shall provide lead agencies with notice of Area Plan topics that may require amendment following adopted Regional Plan amendments pursuant to this section.

Notes Acknowledged, but not applicable to the proposed amendments.

3. Conformity Review for Amendments Made by TRPA to the Regional Plan that Affect an Area Plan - Timing YES NO N/A

Citation 13.6.7.B

Requirement If TRPA approves an amendment to the Regional Plan that would also require amendment of an Area Plan to maintain conformity, the lead agency shall be given one year to amend the Area Plan to demonstrate conformity with the TRPA amendment. The Governing Board shall make the same findings as required for the conformity finding of the initial Area Plan, as provided in subsection 13.6.5; however, the scope of the Governing Board’s review shall be limited to determining the conformity of only those amendments made by the lead agency to conform to the TRPA amendment. If the Governing Board finds that the other government fails to demonstrate conformity with the TRPA amendment following the one-year deadline, then the Board shall identify the policies and/or zoning provisions in the Area Plan that are inconsistent and assume lead agency authority to amend those policies and provisions.

Notes Acknowledged, but not applicable to the proposed amendments.

L. ADMINISTRATION

- 1. Effect of Finding of Conformance of Area Plan** YES NO N/A

Citation 13.6.8

Requirement By finding that an Area Plan conforms with the Regional Plan pursuant to the requirements of this chapter and upon adoption of an MOU pursuant to Section 13.7, the Area Plan shall serve as the standards and procedures for implementation of the Regional Plan. The standards and procedures within each Area Plan shall be considered and approved individually and shall not set precedent for other Area Plans.

Notes The Governing Board found the TAP to be in conformance with the Regional Plan on May 26, 2021. These amendments will be reviewed by the Governing Board prior to going into effect.

- 2. Procedures for Adoption of Memorandum of Understanding** YES NO N/A

Citation 13.7

Requirement An Area Plan shall be consistent with the Procedures for Adoption of a Memorandum of Understanding.

Notes A memorandum of understanding delegating permitting authority to Washoe County has not yet been adopted.

- 3. Monitoring, Certification, and Enforcement of an Area Plan** YES NO N/A

Citation 13.8

Requirement An Area Plan shall include notification, monitoring, annual review, and recertification procedures consistent with Code Section 13.8.

Notes The adopted TAP includes these procedures. No changes are proposed.

- 4. Appeal Procedure** YES NO N/A

Citation 13.9

Requirement The Area Plan shall include an appeal procedure consistent with Code Section 13.9.

Notes Section 110.220.435 in Appendix A to the TAP contains the required appeal procedure. No changes are proposed.

Attachment G
Compliance Measures Checklist

Compliance Measures Affected by the Shoreline Plan

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
WATER QUALITY/SEZ - IN PLACE				
1	BMP requirements, new development: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Fish	N	The proposed Amendment makes no changes to the Tahoe Area Plan's (TAP) BMP requirements and implementation programs. Proposed development within Special Area 1 (SA 1) of the TAP's Incline Village Commercial Regulatory Zone (IVCRZ) must comply with existing BMP requirements.
2	BMP implementation program -- existing streets and highways: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Trans, Fish	N	
3	BMP implementation program -- existing urban development: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Fish	N	
4	BMP implementation program -- existing urban drainage systems: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Trans, Fish	N	
5	Capital Improvement Program for Erosion and Runoff Control	WQ, Soils/SEZ, Trans, Fish	N	The proposed amendment makes no changes to the TAP's policies regarding implementation of the CIP.
6	Excess coverage mitigation program: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ	N	The proposed amendment does not change excess coverage mitigation requirements.
7	Effluent limitations: California (SWRCB, Lahontan Board) and Nevada (NDEP): <i>Code of Ordinances</i> Chapter 5	WQ, Soils/SEZ, Fish	N	The effluent limitations in Chapter 5 of the TRPA Code of Ordinances are not being modified.
8	Limitations on new subdivisions: (See the Goals and Policies: Land Use Element)	WQ, Soils/SEZ, Rec, Scenic	N	All new subdivisions will continue to be limited by the provisions in Chapter 39, Subdivision, of the TRPA Code of Ordinances. No changes are proposed. (Lot and block subdivisions will still be prohibited.)

Compliance Measures Affected by the Shoreline Plan

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	Y	The TAP was developed to meet the requirements of Chapter 13, Area Plans, and to implement the 2012 Regional Plan. This amendment will allow an additional residential use - single family dwellings (SFD) as condominiums, to be developed within SA 1, a Town Center. This will expand options for residential development within Town Centers and could increase the likelihood of achieving walkable, bikeable communities.
10	Residential development priorities, The Individual Parcel Evaluation System (IPES): Goals and Policies: Implementation Element and Code of Ordinances Chapter 53	WQ, Soils/SEZ	N	The TAP maintains the existing Growth Management regulations, Chapters 50 through 53, of the TRPA Code. No changes are proposed with the amendment.
11	Limits on land coverage for new development: Goals and Policies: Land Use Element and Code of Ordinances Chapter 30	WQ, Soils/SEZ, Scenic	N	The TAP incorporates the existing land coverage provisions in Chapter 30 of the TRPA Code as well as the provisions that allow for high capability lands in Town Centers to be covered up to 70%. It also includes provisions to protect and restore SEZs, maximize opportunities to remove or mitigate excess land coverage, implement EIP projects (including area wide water quality and erosion control projects), and accelerate BMP implementation. No changes are proposed with the amendment.
12	Transfer of development: Goals and Policies: Land Use Element and Implementation Element	WQ, Soils/SEZ	N	The amendment does not change the Goals and Policies from the Land Use Element or Implementation Element of the Regional Plan regarding the transfer of development.
13	Restrictions on SEZ encroachment and vegetation alteration: <i>Code of Ordinances</i> Chapters 30 and 61	WQ, Soils/SEZ, Veg, Wildlife, Fish, Rec, Scenic	N	The TAP Amendment will not alter existing restrictions on SEZ encroachment or vegetation alteration in the TRPA Code of Ordinances, Chapters 30 and 61

Compliance Measures Affected by the Shoreline Plan

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
14	SEZ restoration program: Environmental Improvement Program.	WQ, Soils/SEZ, Veg, Wildlife, Fish, Scenic	N	The TAP benefits the EIP's SEZ restoration program through policies and provisions for the protection and restoration of SEZs. No changes are proposed with the amendment.
15	SEZ setbacks: <i>Code of Ordinances</i> Chapter 53	WQ, Soils/SEZ, Veg, Wildlife, Fish	N	SEZ setback requirements in the TRPA Code of Ordinances, Chapter 53, IPES, Section 53.9, were not altered by the TAP. No changes are proposed.
16	Fertilizer reporting requirements: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Fish, Rec	N	The TAP maintains the Resource Management and Protection regulations in the TRPA Code, including fertilizer reporting and water quality mitigation requirements. No changes are proposed with the amendment.
17	Water quality mitigation: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ	N	The TAP maintains the Resource Management and Protection regulations in the TRPA Code, including fertilizer reporting and water quality mitigation requirements. No changes are proposed with the amendment.
18	Restrictions on rate and/or amount of additional development	WQ, Soils/SEZ, Wildlife, Scenic	N	The TAP incorporates the RPU's restrictions on the rate and amount of additional development. The proposed amendment adds an additional residential use (SFD limited to condominiums) as an allowed use in SA 1. Multiple family dwelling (MFD) is already an allowed use in SA 1. MFD involves for rent units, whereas SFD involves for sale units. The amendment does not change density standards. Any SFD condominium project proposed in SA 1 as a result of the amendment must obtain residential allocations and potential residential units of use or transfer existing development to the site.
19	Improved BMP implementation/enforcement program	WQ, Soils/SEZ	N	See response to Compliance Measures 1 through 4.
20	Increased funding for EIP projects for erosion and runoff control	WQ, Soils/SEZ	N	The TAP does not increase funding for EIP erosion and runoff control projects but may help to accelerate implementation. No changes are proposed with the amendment.

Compliance Measures Affected by the Shoreline Plan

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
21	Artificial wetlands/runoff treatment program	WQ, Soils/SEZ	N	The TAP does not alter the artificial wetlands/runoff treatment program. No changes are proposed in the amendment.
22	Transfer of development from SEZs	WQ, Soils/SEZ, Scenic	N	The TAP maintains the RPU's incentives for property owners to hasten the transfer of development rights from sensitive lands, including SEZs, or outlying areas to Town Centers where redevelopment is better suited and will have beneficial or reduced adverse environmental impacts. No changes are proposed with the amendment.
23	Improved mass transportation	WQ, Trans, Noise	N	The TAP facilitates development of an integrated multi-modal transportation system that largely relies on increased transit service serving designated mobility hubs. The amendment makes no changes.
24	Redevelopment and redirection of land use: Goals and Policies: Land Use Element and Code of Ordinances Chapter 13	WQ, Soils/SEZ, Scenic	Y	The TAP encourages redevelopment within a Town Center and within close proximity to services and transit. The amendment will further this goal by expanding options for residential development in SA 1. See response to Compliance Measure 9.
25	Combustion heater rules, stationary source controls, and related rules: <i>Code of Ordinances</i> Chapter 65	WQ, AQ	N	No changes are being proposed that would impact these Compliance Measures. The existing TRPA Code of Ordinance provisions will remain in effect.
26	Elimination of accidental sewage releases: Goals and Policies: Land Use Element	WQ, Soils/SEZ	N	
27	Reduction of sewer line exfiltration: Goals and Policies: Land Use Element	WQ, Soils/SEZ	N	
28	Effluent limitations	WQ, Soils/SEZ	N	
29	Regulation of wastewater disposal at sites not connected to sewers: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ	N	
30	Prohibition on solid waste disposal: Goals and Policies: Land Use Element	WQ, Soils/SEZ	N	

Compliance Measures Affected by the Shoreline Plan

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
31	Mandatory garbage pick-up: Goals and Policies: Public Service Element	WQ, Soils/SEZ, Wildlife	N	
32	Hazardous material/wastes programs: Goals and Policies: Land Use Element and Code of Ordinances Chapter 60	WQ, Soils/SEZ	N	
33	BMP implementation program, Snow and ice control practices: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, AQ	N	
34	Reporting requirements, highway abrasives and deicers: Goals and Policies:, Land Use Element and Code of Ordinances Chapter 60	WQ, Soils/SEZ, Fish	N	
35	BMP implementation program--roads, trails, skidding, logging practices: <i>Code of Ordinances</i> Chapter 60, Chapter 61	WQ, Soils/SEZ, Fish	N	
36	BMP implementation program--outdoor recreation: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Fish, Rec	N	
37	BMP implementation program--livestock confinement and grazing: <i>Code of Ordinances</i> Chapter 21, Chapter 60, Chapter 64	WQ, Soils/SEZ, Veg, Wildlife, Fish	N	
38	BMP implementation program--pesticides	WQ, Soils/SEZ	N	
39	Land use planning and controls --timber harvesting: <i>Code of Ordinances</i> Chapter 21	WQ, Soils/SEZ, AQ, Wildlife, Fish, Scenic	N	
40	Land use planning and controls -outdoor recreation: <i>Code of Ordinances</i> Chapter 21	WQ, Soils/SEZ, Wildlife, Noise, Rec, Scenic	N	

Compliance Measures Affected by the Shoreline Plan

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
41	Land use planning and controls--ORV use: Goals and Policies: Recreation Element	WQ, Soils/SEZ, AQ, Wildlife, Fish, Noise, Rec, Scenic	N	Regional Plan Policy R-1.5 states that "Off-road vehicle (ORV) use is prohibited in the Lake Tahoe Region except on specified roads, trails, or designated areas where the impacts can be mitigated." The TAP did not expand ORV use, and no changes are proposed.
42	Control of encroachment and coverage in sensitive areas	WQ, Soils/SEZ, Wildlife, Rec, Scenic	N	The existing TRPA Code provisions remain in effect, and no changes are proposed with the amendment.
43	Control on shorezone encroachment and vegetation alteration: <i>Code of Ordinances</i> Chapter 83	WQ, Soils/SEZ, Scenic	N	The existing Code provisions related to the Shorezone remain in effect, and no changes are proposed that would impact Compliance Measures 43 through 50. There is no shorezone within the affected SA 1.
44	BMP implementation program--shorezone areas: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ	N	
45	BMP implementation program--dredging and construction in Lake Tahoe: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ	N	
46	Restrictions and conditions on filling and dredging: <i>Code of Ordinances</i> Chapter 84	WQ, Soils/SEZ, Fish	N	
47	Protection of stream deltas	WQ, Soils/SEZ, Wildlife, Fish, Scenic	N	
48	Marina master plans: <i>Code of Ordinances</i> Chapter 14	WQ, AQ/Trans, Fish, Scenic	N	
49	Additional pump-out facilities: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ	N	
50	Controls on anti-fouling coatings: <i>Code of Ordinances</i> Chapter 60	WQ, Soils/SEZ, Fish	N	
51	Modifications to list of exempt activities	WQ, Soils/SEZ	N	The TAP did not alter the list of exempt activities. No changes are proposed.

Compliance Measures Affected by the Shoreline Plan

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
WATER QUALITY/SEZ - SUPPLEMENTAL				
52	More stringent SEZ encroachment rules	WQ, Soils/SEZ, Wildlife, Fish	N	The proposed amendment does not include any provisions that would impact Compliance Measures 52 through 61.
53	More stringent coverage transfer requirements	WQ, Soils/SEZ	N	
54	Modifications to IPES	WQ, Soils/SEZ	N	
55	Increased idling restrictions	WQ, Soils/SEZ, AQ	N	
56	Control of upwind pollutants	WQ, Soils/SEZ, AQ	N	
57	Additional controls on combustion heaters	WQ, Soils/SEZ, AQ	N	
58	Improved exfiltration control program	WQ, Soils/SEZ	N	
59	Improved infiltration control program	WQ, Soils/SEZ	N	
60	Water conservation/flow reduction program	WQ, Soils/SEZ, Fish	N	
61	Additional land use controls	WQ, Soils/SEZ, Wildlife	N	
AIR QUALITY/TRANSPORTATION - IN PLACE				
62	Fixed Route Transit - South Shore: STAGE	Trans, Rec	N	The TAP does not impact any transit services, bikeways, or pedestrian facilities, except to encourage Town Center redevelopment and the completion of identified transportation improvements.
64	Demand Responsive Transit	Trans	N	
65	Seasonal Transit Services	Trans, Rec	N	
66	Social Service Transportation	Trans	N	
67	Shuttle programs	Trans, Rec	N	
69	Intercity bus services	Trans	N	
70	Passenger Transit Facilities	Trans	N	
71	Bikeways, Bike Trails	Trans, Noise, Rec, Scenic	N	

Compliance Measures Affected by the Shoreline Plan

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
72	Pedestrian facilities	Trans, Rec, Scenic	N	
73	Wood heater controls: <i>Code of Ordinances</i> Chapter 65	WQ, AQ	N	The TRPA Code provisions related to Compliance Measures 73 through 75 remain in effect, and no changes are proposed with the amendment.
74	Gas heater controls: <i>Code of Ordinances</i> Chapter 65	WQ, AQ	N	
75	Stationary source controls: <i>Code of Ordinances</i> Chapter 65	WQ, AQ	N	
76	U.S. Postal Service Mail Delivery	Trans	N	The TAP amendment will not impact U.S. Postal Service Delivery.
77	Indirect source review/air quality mitigation: <i>Code of Ordinances</i> Chapter 65	WQ, AQ, Trans	N	The TRPA Code provisions related to Compliance Measures 77 through 78 remain in effect, and no changes are proposed with the amendment.
78	Idling Restrictions: <i>Code of Ordinances</i> Chapter 65	WQ, AQ	N	
79	Vehicle Emission Limitations(State/Federal)	WQ, AQ	N	No changes are proposed to the Code's provisions related to established vehicle emission limitations.
80	Open Burning Controls: <i>Code of Ordinances</i> Chapters 61 and Chapter 65	WQ, AQ, Scenic	N	No changes are proposed.
81	BMP and Revegetation Practices	WQ, AQ, Wildlife, Fish	N	See response to Compliance Measures 1 through 4.
82	Employer-based Trip Reduction Programs: <i>Code of Ordinances</i> Chapter 65	Trans	N	No changes are proposed.
83	Vehicle rental programs: <i>Code of Ordinances</i> Chapter 65	Trans	N	
84	Parking Standards	Trans	N	The TAP amendment does not make any changes that would impact parking standards, parking management, parking fees or facilities, traffic management, signal synchronization, aviation, waterborne transit or excursions, air quality monitoring, alternative fueled vehicle fleets or infrastructure improvements, north shore transit, or the Heavenly Ski Resort Gondola. The proposed amendment will not impact trip generation or VMT as the trip rates for MFD and SFD condominium uses are the same.
85	Parking Management Areas	Trans	N	
86	Parking Fees	Trans	N	
87	Parking Facilities	Trans	N	
88	Traffic Management Program - Tahoe City	Trans	N	
89	US 50 Traffic Signal Synchronization - South Shore	Trans	N	

Compliance Measures Affected by the Shoreline Plan

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
90	General Aviation, The Lake Tahoe Airport	Trans, Noise	N	Additional development associated with the amendment is within the Regional Plan's growth management system and would not generate additional demand for waterborne transit services.
91	Waterborne excursions	WQ, Trans, Rec	N	
92	Waterborne transit services	WQ, Trans, Scenic	N	
93	Air Quality Studies and Monitoring	WQ, AQ	N	
94	Alternate Fueled Vehicle - Public/Private Fleets and Infrastructure Improvements	Trans	N	
95	Demand Responsive Transit - North Shore	Trans	N	
96	Tahoe Area Regional Transit Maintenance Facility	Trans	N	
97	Heavenly Ski Resort Gondola	Trans	N	
AIR QUALITY/TRANSPORTATION - SUPPLEMENTAL				
98	Demand Responsive Transit - North Shore	Trans	N	No changes to existing air quality or transportation policies, programs or services are proposed or anticipated to occur with the TAP amendment.
99	Coordinated Transit System - South Shore	Trans	N	
100	Transit Passenger Facilities	Trans	N	
101	South Shore Transit Maintenance Facility - South Shore	Trans	N	
102	Transit Service - Fallen Leaf Lake	WQ, Trans	N	
103	Transit Institutional Improvements	Trans	N	
104	Transit Capital and Operations Funding Acquisition	Trans	N	
105	Transit/Fixed Guideway Easements - South Shore	Trans	N	
106	Visitor Capture Program	Trans	N	
107	Pedestrian and Bicycle Facilities-- South Shore	Trans, Rec	N	
108	Pedestrian and Bicycle Facilities-- North Shore	Trans, Rec	N	

Compliance Measures Affected by the Shoreline Plan

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
109	Parking Inventories and Studies Standards	Trans	N	
110	Parking Management Areas	Trans	N	
111	Parking Fees	Trans	N	
112	Establishment of Parking Task Force	Trans	N	
113	Construct parking facilities	Trans	N	
114	Intersection improvements-- South Shore	Trans, Scenic	N	
115	Intersection improvements-- North Shore	Trans, Scenic	N	
116	Roadway Improvements - South Shore	Trans, Scenic	N	
117	Roadway Improvements - North Shore	Trans, Scenic	N	
118	Loop Road - South Shore	Trans, Scenic	N	
119	Montreal Road Extension	Trans	N	
120	Kingsbury Connector	Trans	N	
121	Commercial Air Service: Part 132 commercial air service	Trans	N	
122	Commercial Air Service: commercial air service that does not require Part 132 certifications	Trans	N	
123	Expansion of waterborne excursion service	WQ, Trans	N	
124	Re-instate the oxygenated fuel program	WQ, AQ	N	
125	Management Programs	Trans	N	
126	Around the Lake Transit	Trans	N	
VEGETATION - IN PLACE				
127	Vegetation Protection During Construction: <i>Code of Ordinances</i> Chapter 33	WQ, AQ, Veg, Scenic	N	The TAP did not alter the provisions of Chapter 33, and no changes are proposed with the amendment.
128	Tree Removal: <i>Code of Ordinances</i> Chapter 61	Veg, Wildlife, Scenic	N	The TAP did not alter the provisions of Chapter 61, and no changes are proposed with the amendment.
129	Prescribed Burning: <i>Code of Ordinances</i> Chapter 61	WQ, AQ, Veg, Wildlife, Scenic	N	
130	Remedial Vegetation Management: <i>Code of Ordinances</i> Chapter 61	WQ, Veg, Wildlife	N	

Compliance Measures Affected by the Shoreline Plan

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
131	Sensitive and Uncommon Plant Protection and Fire Hazard Reduction: <i>Code of Ordinances</i> Chapter 61	Veg, Wildlife, Scenic	N	
132	Revegetation: <i>Code of Ordinances</i> Chapter 61	WQ, Veg, Wildlife, Scenic	N	
133	Remedial Action Plans: <i>Code of Ordinances</i> Chapter 5	WQ, Veg	N	The TAP, as amended, will be consistent with Chapter 5 of the TRPA Code. TRPA shall remain responsible for preparing Remedial Action Plans, in coordination with Washoe County.
134	Handbook of Best Management Practices	WQ, Soils/SEZ, Veg, Fish	N	The Handbook of Best Management Practices will continue to be used to design and construct BMPs.
135	Shorezone protection	WQ, Soils/SEZ, Veg	N	See responses to Compliance Measures 43 through 50
136	Project Review	WQ, Veg	N	An MOU between TRPA and Washoe County has not been adopted. Until such time as an MOU delegating certain permitting activities to Washoe County is adopted by both agencies, TRPA will continue to review projects within the Washoe County portion of the Basin as required by the Regional Plan. The proposed amendment will not alter this.
137	Compliance inspections	Veg	N	
138	Development Standards in the Backshore	WQ, Soils/SEZ, Veg, Wildlife, Scenic	N	See responses to Compliance Measures 43 through 50.
139	Land Coverage Standards: <i>Code of Ordinances</i> Chapter 30	WQ, Veg, Wildlife, Fish, Scenic	N	See response to Compliance Measure 11.
140	Grass Lake, Research Natural Area	WQ, Veg, Wildlife, Fish, Scenic	N	N/A
141	Conservation Element, Vegetation Subelement: Goals and Policies	Veg, Wildlife, Fish	N	No changes are proposed.
142	Late Successional Old Growth (LSOG): <i>Code of Ordinances</i> Chapter 61	Veg, Wildlife, Fish	N	No changes are proposed.

Compliance Measures Affected by the Shoreline Plan

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
143	Stream Environment Zone Vegetation: <i>Code of Ordinances</i> Chapter 61	WQ, Veg, Wildlife, Fish	N	
144	Tahoe Yellow Cress Conservation Strategy	Veg	N	No changes are proposed.
145	Control and/or Eliminate Noxious Weeds	Veg, Wildlife	N	No changes are proposed.
146	Freel Peak Cushion Plant Community Protection	Veg	N	N/A
VEGETATION - SUPPLEMENTAL				
147	Deepwater Plant Protection	WQ, Veg	N	No changes are proposed.
WILDLIFE - IN PLACE				
148	Wildlife Resources: <i>Code of Ordinances</i> Chapter 62	Wildlife, Noise	N	No changes are proposed.
149	Stream Restoration Program	WQ, Soils/SEZ, Veg, Wildlife, Fish, Rec, Scenic	N	No changes are proposed.
150	BMP and revegetation practices	WQ, Veg, Wildlife, Fish, Scenic	N	No changes are proposed.
151	OHV limitations	WQ, Soils/SEZ, AQ, Wildlife, Noise, Rec	N	No changes are proposed.
152	Remedial Action Plans: <i>Code of Ordinances</i> Chapter 5	Wildlife	N	See response to Compliance Measure 133.
153	Project Review	Wildlife	N	See response to Compliance Measures 136 and 137.
FISHERIES - IN PLACE				
156	Fish Resources: <i>Code of Ordinances</i> Chapter 63	WQ, Fish	N	No changes are proposed.
157	Tree Removal: <i>Code of Ordinances</i> Chapter 61	Wildlife, Fish	N	The TAP does not change tree removal provisions of Chapter 61.

Compliance Measures Affected by the Shoreline Plan

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
158	Shorezone BMPs	WQ, Fish	N	See response to Compliance Measures 43 through 50.
159	Filling and Dredging: <i>Code of Ordinances</i> Chapter 84	WQ, Fish	N	
160	Location standards for structures in the shorezone: <i>Code of Ordinances</i> Chapter 84	WQ, Fish	N	
161	Restrictions on SEZ encroachment and vegetation alteration	WQ, Soils/SEZ, Fish	N	No changes are proposed.
162	SEZ Restoration Program	WQ, Soils/SEZ, Fish	N	No changes are proposed.
163	Stream restoration program	WQ, Soils/SEZ, Fish	N	No changes are proposed.
164	Riparian restoration	WQ, Soils/SEZ, Fish	N	
165	Livestock: <i>Code of Ordinances</i> Chapter 64	WQ, Soils/SEZ, Fish	N	No changes are proposed.
Compliance Measure 1	BMP and revegetation practices	WQ, Fish	N	See response to Compliance Measures 1 through 4.
167	Fish habitat study	Fish	N	No changes are proposed.
168	Remedial Action Plans: <i>Code of Ordinances</i> Chapter 5	Fish	N	See response to Compliance Measure 133.
169	Mitigation Fee Requirements: <i>Code of Ordinances</i> Chapter 86	Fish	N	No changes are proposed.
170	Compliance inspection	Fish	N	No changes are proposed.

Compliance Measures Affected by the Shoreline Plan

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
171	Public Education Program	Wildlife, Fish	N	The TAP does not make any changes to the county's education and outreach efforts. No changes are proposed with the amendment.
NOISE - IN PLACE				
172	Airport noise enforcement program	Wildlife, Fish	N	No changes are proposed.
173	Boat noise enforcement program	Wildlife, Fish, Rec	N	No changes are proposed.
174	Motor vehicle/motorcycle noise enforcement program: <i>Code of Ordinances</i> Chapters 5 and 23	Wildlife, Fish	N	No changes are proposed.
175	ORV restrictions	AQ, Wildlife, Noise, Rec	N	No changes are proposed.
176	Snowmobile Restrictions	WQ, Wildlife, Noise, Rec	N	
177	Land use planning and controls	Wildlife, Noise	N	See response to Compliance Measure 9.
178	Vehicle trip reduction programs	Trans, Noise	N	The TAP should reduce VMT via installation of pedestrian and bike paths, improving public transit and creating walkable/bikeable communities. No changes are proposed, although the amendment may accelerate achievement of walkable/bikeable communities by expanding housing development options in SA 1.
179	Transportation corridor design criteria	Trans, Noise	N	The TAP incorporates criteria from the corridor plans for State Route 28 and Mount Rose Highway by reference. No changes are proposed with the amendment.
180	Airport Master Plan South Lake Tahoe	Trans, Noise	N	N/A

Compliance Measures Affected by the Shoreline Plan

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
181	Loudspeaker restrictions	Wildlife, Noise	N	No changes are proposed.
182	Project Review	Noise	N	See response to Compliance Measures 136 and 137.
183	Complaint system: <i>Code of Ordinances</i> Chapters 5 and 68	Noise	N	Existing complaint systems are not being modified.
184	Transportation corridor compliance program	Trans, Noise	N	No changes are proposed.
185	Exemptions to noise limitations	Noise	N	No changes are proposed.
186	TRPA's Environmental Improvement Program (EIP)	Noise	N	No changes are proposed.
187	Personal watercraft noise controls	Wildlife, Noise	N	No changes are proposed.
NOISE - SUPPLEMENTAL				
188	Create an interagency noise enforcement MOU for the Tahoe Region.	Noise	N	An interagency noise enforcement MOU for the Tahoe Region is not being proposed as part of the TAP amendment.
RECREATION - IN PLACE				
189	Allocation of Development: <i>Code of Ordinances</i> Chapter 50	Rec	N	See response to Compliance Measure 10.
190	Master Plan Guidelines: <i>Code of Ordinances</i> Chapter 14	Rec, Scenic	N	The TRPA, in coordination with Washoe County, will continue to process Specific and Master Plan Plans pursuant to Chapter 14 of the TRPA Code of Ordinances.
191	Permissible recreation uses in the shorezone and lake zone: <i>Code of Ordinances</i> Chapter 81	WQ, Noise, Rec	N	See response to Compliance Measures 43 through 50.
192	Public Outdoor recreation facilities in sensitive lands	WQ, Rec, Scenic	N	The TAP amendment is not altering provisions regarding public outdoor recreation in sensitive lands.
193	Hiking and riding facilities	Rec	N	No changes are proposed with the amendment.

Compliance Measures Affected by the Shoreline Plan

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
194	Scenic quality of recreation facilities	Rec, Scenic	N	All proposals for new recreation facilities within the TAP will have to meet Scenic Quality standards. No changes are proposed.
195	Density standards	Rec	N	No changes to density standards are proposed.
196	Bonus incentive program	Rec	N	The TAP Amendment does not alter existing bonus unit incentives.
197	Required Findings: <i>Code of Ordinances</i> Chapter 4	Rec	N	All applicable TRPA Code Of Ordinance findings will continue to have to be met with the future approval of projects within the TAP, as amended.
198	Lake Tahoe Recreation Sign Guidelines	Rec, Scenic	N	No changes are proposed.
199	Annual user surveys	Rec	N	No changes are proposed.
RECREATION - SUPPLEMENTAL				
200	Regional recreational plan	Rec	N	No changes are proposed.
201	Establish fair share resource capacity estimates	Rec	N	The TAP does not establish or alter fair share resource capacity estimates, alter reservations of additional resource capacity, or include economic modeling. No changes are proposed with the amendment.
202	Reserve additional resource capacity	Rec	N	
203	Economic Modeling	Rec	N	
SCENIC - IN PLACE				
204	Project Review and Exempt Activities: <i>Code of Ordinances</i> Chapter 2	Scenic	N	See responses to Compliance Measures 136 and 137.
205	Land Coverage Limitations: <i>Code of Ordinances</i> Chapter 30	WQ, Scenic	N	See response to Compliance Measure 11.
206	Height Standards: <i>Code of Ordinances</i> Chapter 37	Scenic	N	No changes to the adopted height standards are proposed.
207	Driveway and Parking Standards: <i>Code of Ordinances</i> Chapter 34	Trans, Scenic	N	No changes are proposed.
208	Signs: <i>Code of Ordinances</i> Chapter 38	Scenic	N	No changes are proposed.
209	Historic Resources: <i>Code of Ordinances</i> Chapter 67	Scenic	N	No changes are proposed.
210	Design Standards: <i>Code of Ordinances</i> Chapter 36	Scenic	N	No changes are proposed.

Compliance Measures Affected by the Shoreline Plan

Tracking Number	Compliance Measure Description	Affected Threshold Categories	Affected by Action (Y/N)	Comments
211	Shorezone Tolerance Districts and Development Standards: <i>Code of Ordinances</i> Chapter 83	Scenic	N	See responses to Compliance Measures 43 through 50. No shorezone is located in SA 1.
212	Development Standards Lakeward of Highwater: <i>Code of Ordinances</i> Chapter 84	WQ, Scenic	N	N/A. No lakes are located in SA 1.
213	Grading Standards: <i>Code of Ordinances</i> Chapter 33	WQ, Scenic	N	No changes are proposed.
214	Vegetation Protection During Construction: <i>Code of Ordinances</i> Chapter 33	AQ, Veg, Scenic	N	
215	Revegetation: <i>Code of Ordinances</i> Chapter 61	Scenic	N	See responses to Compliance Measures 16 and 17.
216	Design Review Guidelines	Scenic	N	No changes are proposed.
217	Scenic Quality Improvement Program(SQIP)	Scenic	N	See response to Compliance Measure 194.
218	Project Review Information Packet	Scenic	N	See response to Compliance Measure 194.
219	Scenic Quality Ratings, Features Visible from Bike Paths and Outdoor Recreation Areas Open to the General Public	Trans, Scenic	N	See response to Compliance Measure 194.
220	Nevada-side Utility Line Undergrounding Program	Scenic	N	The TAP includes a future action for the establishment of assessment districts or another financing mechanism to support undergrounding of utilities. No changes are proposed with the amendment.
SCENIC - SUPPLEMENTAL				
221	Real Time Monitoring Program	Scenic	N	No changes to the real time monitoring program are being proposed with the TAP amendment.
222	Integrate project identified in SQIP	Scenic	N	No changes are proposed.



Tahoe In Brief

Tahoe Regional Planning Agency (TRPA) Governing Board Monthly Report

June 2023

TRPA CALENDAR AT-A-GLANCE

JUNE 2023

- June 2: Lake Tahoe Destination Stewardship Plan Launch
- June 14: TRPA Advisory Planning Commission Meeting
- June 14: Local Government and Housing Committee Meeting
- June 22: Coffee Talk with Julie Regan, Tahoe City Public Utility District offices, 9-10 a.m.
- June 28: TRPA Governing Board Meeting

JULY 2023

- July 12: TRPA Advisory Planning Commission Meeting
- July 26: TRPA Governing Board Meeting

AUGUST 2023

- August 9: TRPA Advisory Planning Commission Meeting
- August 9, Annual Lake Tahoe Summit, North Tahoe Event Center in Kings Beach, CA
- August 23: TRPA Governing Board Meeting at the North Tahoe Event Center in Kings Beach, CA. (Note that a walking tour may be part of this meeting.)

SEPTEMBER 2023

- September 13: TRPA Advisory Planning Commission Meeting
- September 27: TRPA Governing Board Meeting

Potential agenda items July to November could include:

- TRPA's Transportation Equity Study
- Tahoe Living Phase 2: density, height, and coverage amendments informational hearings.
- Climate Resilience Dashboard
- Homewood Master Plan amendment
- Tahoe Valley and Tourist Core Area Plan amendments

TRPA STRATEGIC INITIATIVES

(TRPA staff is reporting on these six initiatives in the existing format until the Governing Board updates priorities.)

The graphic features a blue header with the text 'TRPA STRATEGIC INITIATIVES' in white. Below this is an orange box containing a paragraph of text. Underneath the orange box is a light blue box containing a bulleted list of six initiatives.

TRPA STRATEGIC INITIATIVES

Set by the Governing Board, these strategic initiatives reflect the agency's commitment to protect Lake Tahoe's environment while improving regional transportation, increasing diverse housing options, and facilitating community revitalization.

- **Building Resiliency: Climate Change and Sustainability**
- **Keeping Tahoe Moving: Transportation and Destination Stewardship**
- **Tahoe Living: Housing and Community Revitalization**
- **Restoration Blueprint: Environmental Improvement Program Implementation**
- **Measuring What Matters: Thresholds and Monitoring Update**
- **Digital First: Innovation**

TAHOE LIVING: HOUSING & COMMUNITY REVITALIZATION STRATEGIC INITIATIVE

This initiative addresses strategies for implementing affordable and achievable workforce housing as a key component of healthy, sustainable communities in the region. The Tahoe Living initiative implements the Regional Plan, the Regional Transportation Plan/Sustainable Communities Strategy, the Regional Housing Needs Allocation, and other identified regional housing needs.

Land Use Code Innovation for Housing:

Staff provided a briefing on these proposed code amendments to height, density, and land coverage and input received to-date to the Local Government and Housing Committee on June 14, 2023. These amendments are to promote the development of more affordable and workforce housing in Tahoe. Over the summer staff will be conducting public outreach on the proposals and working with a code technical committee to finalize the proposal.

TRPA Staff Contact: Karen Fink, Housing Program Manager/Housing Ombudsperson
775-589-5258, kfink@trpa.gov

Associated Working Group(s)/Committee(s):

- Tahoe Living Working Group
- TRPA Governing Board Local Government & Housing Committee

Website(s):

- Meeting materials are posted on the Tahoe Living Working Group page:
<https://www.trpa.gov/tahoe-living-housing-and-community-revitalization-working-group-2/>
- Tahoe Housing Story Map:
<https://storymaps.arcgis.com/stories/62ae9110d85c43ecb381eb3f3ccec196>

Newsletter: Sign up to receive housing news by sending an email to enews@trpa.gov and put "Housing" in the subject line.

DIGITAL FIRST: INNOVATION INITIATIVE

This initiative recognizes the agency's unique ability to address external events, technology changes, and pursue continuous improvement. It involves significantly improving the ability of the agency to provide services in a "digital first" way by rethinking processes and using innovative technology.

Project Permitting

See tables on the next pages for permitting details.

TRPA Applications by Project Type through May 31, 2023

TRPA Applications by Project Type	2021	2022	2023 YTD
Residential Projects	242	267	111
Commercial Projects	11	18	16
Recreation/Public Service Projects	44	48	17
Environmental Improvement Projects	13	5	5
Shorezone/Lakezone Projects	130	66	8
Buoy and Mooring Projects	48	15	7
Grading Projects	37	35	14
Verifications and Banking	427	379	104
Transfers of Development	55	59	13
Other	142	233	65
Grand Total	1,149	1,125	360

Completeness Review Performance

	<u>March 31, 2023</u>	<u>April 30, 2023</u>	<u>May 31, 2023</u>
Completeness Reviews Finished During Period	74	66	99
Reviewed within 30 Days of Submission	74	66	99
Over 30 Days from Submission	0	0	0
Percent Over 30 Days	0%	0%	0%
Files with Completeness Over 30 Days	N/A	N/A	N/A
Applications Not Yet Reviewed for Completeness	31	46	49
Under 30 Days Since Submission	30	46	48
Over 30 Days Since Submission	1	0	1
Percent Over 30 Days	3%	N/A	2%
Files with Completeness Over 30 Days	ALLOC2023-0189 (Allocation; 35 days)	N/A	ERSP2023-0429 (Residential Dwelling; 35 days)

Application Review Performance

	<u>March 31, 2023</u>	<u>April 30, 2023</u>	<u>May 31, 2023</u>
Issued Permits	60	76	82
Issued within 120 Days of Complete Application	50	63	75
Issued over 120 Days from Complete Application	10	13	7
Percent Over 120 Days	17%	17%	9%
Files with Issued Permits - Over 120 Days:	MOOR2021-1798 (Mooring Permit; 277 days)	ERSP2021-0715 (Shore-Lakezone; 347 days)	ERSP2021-1814 (Shore-Lakezone; 306 days)
	MOOR2021-0768 (Mooring Permit; 226 days)	ERSP2022-1316 (Res Dwelling; 273 days)	MOOR2021-1907 (Mooring Permit; 257 days)
	Moor2021-1819 (Mooring Permit; 212 days)	ERSP2022-1124 (Shore-Lakezone; 245 days)	ERSP2022-1557 (Res Dwelling; 231 days)
	MOOR2022-0268 (Mooring Permit; 182 days)	ERSP2022-0043 (Shore-Lakezone; 242 days)	MOOR2022-1579 (Mooring Permit; 169 days)
	ERSP2022-1029 (Shore-Lakezone; 182 days)	MOOR2021-1830 (Mooring Permit; 191 days)	ERSP2022-0107 (Shore-Lakezone; 163 days)
	MOOR2021-1299 (Mooring Permit; 180 days)	ERSP2021-1854 (Shore-Lakezone; 189 days)	MOOR2021-1892 (Mooring Permit; 143 days)
	MOOR2022-1668 (Mooring Permit; 161 days)	MOOR2021-1839 (Mooring Permit; 178 days)	MOOR2022-1826 (Mooring Permit; 141 days)
	MOOR2021-1891 (Mooring Permit; 158 days)	ERSP2022-0045 (Shore-Lakezone; 174 days)	
	ERSP2021-0044 (Sign; 143 days)	MOOR2021-1844 (Mooring Permit; 145 days)	

SUBD2022-1184 (Subdivision, 131days) MOOR2022-1831 (Mooring Permit; 132 days) ERSP2022-1956 (Shore-Lakezone; 124 days) ERSP2018-0499-01 (Shore-Lakezone; 123 days) ERSP2022-1501 (Conversion; 121 days)

	<u>March 31, 2023</u>	<u>April 30, 2023</u>	<u>May 31, 2023</u>
Applications in Review	80	72	80
Under 120 Days in TRPA Review	79	72	79
Over 120 Days in TRPA Review	1	0	1
Percent Over 120 Days	1.3%	0%	13%
Files In Review - Over 120 Days:	MOOR2021-1820 (Mooring Permit; 289 days)	N/A	MOOR2022-1834 (Mooring Permit; 143 days)
	<u>March 31, 2023</u>	<u>April 30, 2023</u>	<u>May 31, 2023</u>
Applications Requiring Additional Info. From Applicants for TRPA Review	121	118	101

For detailed information on the status of any application listed here please contact Wendy Jepson, Permitting and Compliance Department Manager, at wjepson@trpa.gov or Tiffany Good, Permitting Program Manager, at tgood@trpa.gov.

UPCOMING ADDITIONAL ITEMS OF INTEREST

Budget & Facilities Update

TRPA has spent the last four months working with the Nevada Governor's Finance Office and Legislative Counsel Bureau to move the agency's budget requests forward. All budget requests to Nevada were funded, and the Governor has signed the budget bills. In California, TRPA's budget allocation remains intact despite significant financial challenges for the state. At this time, the legislature has not voted on a final budget.

The Agency's Information Technology systems were recently upgraded with a new uninterruptible power supply to keep the servers operating for a couple of hours in the event of a power outage. This will protect the systems from power outages and surges.

