

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

NOTICE IS HEREBY GIVEN that on **Wednesday, November 16, 2022**, commencing **no earlier than 11:15 a.m., on both Zoom** and at the **Tahoe Regional Planning Agency, 128 Market Street, Stateline, NV**, the **Governing Board** of the Tahoe Regional Planning Agency will conduct its **regular business meeting**.

Pursuant to the State of California's Code section 54953(e) as enacted by California AB-361 Governing Board members may appear in person or via Zoom. Members of the public may observe the meeting and submit comments in person at the above location or via Zoom. Details will be posted on the day of the meeting with a link to Zoom. The agenda is attached hereto and made part of this notice.

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, November 16, 2022**, commencing **8:30 a.m., on both Zoom**, and at the **Tahoe Regional Planning Agency**, the **TRPA Legal Committee** will meet. The agenda will be as follows: **1)** Approval of Agenda; **2)** October 26, 2022, Minutes will be in the December 14, 2022, Packet; **3)** Discussion on out of basin projects; **4)** Closed Session with Counsel to Discuss Existing and Potential Litigation; **5)** Potential Direction Regarding Agenda Item No. 4 (action); **6)** Committee Member Comments; Chair – Williamson, Vice Chair – Novasel, Aldean, Hicks, Rice, Yeates; **7)** Public Interest Comments

NOTICE IS FURTHER GIVEN that on **Wednesday, November 16, 2022**, commencing **no earlier than 9:00 a.m., on both Zoom**, and at the **Tahoe Regional Planning Agency**, the **TRPA Operations & Governance Committee** will meet. The agenda will be as follows: **1)** Approval of Agenda; **2)** Approval of Minutes: (**Page 7**) **3)** Recommend approval of October Financials (action); (**Page 71**) **4)** Recommend approval for the Inflation Adjustment to TRPA Rental Car Mitigation Fee (action); (**Page 95**) **5)** Recommend approval for Release of \$3,700,000 in Excess Coverage Mitigation (ECM) Funds to the California Tahoe Conservancy for Land Bank Acquisition (action); (**Page 99**) **6)** Recommend approval of FY 2022-2023 State of Good Repair project lists for the Tahoe-Truckee Area Regional Transit (TART) and Tahoe Transportation District (TTD) (action); (**Page 103**) **7)** Recommend approval FY 2022-2023 Local Transportation Funds of \$75,000 to the Tahoe Regional Planning Agency for the Administration and Planning of the Transportation Development Act (action) (**Page 109**) **8)** Recommend approval of Estimated Allocation of FY 2022-2023 Local Transportation Funds of \$1,695,153 to Tahoe Transportation District (action); (**Page 115**) **9)** Recommend approval for the Estimated Allocations of FY 2022-2023 State Transit Assistance funds of \$757,084 to the Tahoe Transportation District (action); (**Page 119**) **10)** Recommend approval for Allocation of FY 2022-2023 State of Good Repair funds of \$95,555 to the Tahoe Transportation District for a preventative maintenance project (action); (**Page 125**) **11)** Recommend approval of Estimated Allocation of FY 2022-2023 Local Transportation Funds of \$939,480 to Tahoe Truckee Area Regional Transit (TART) (action); (**Page 131**) **12)** Recommend approval of Estimated Allocations of the FY 2022-2023 State Transit Assistance funds of \$638,810 to the Tahoe Truckee Area Regional Transit (TART) (action); (**Page 135**) **13)** Recommend approval of Allocation of FY 2022-2023 State of Good Repair funds of \$80,627 to the Tahoe Truckee Area Regional Transit for preventative maintenance and the purchase of two transit buses (action); (**Page 141**) **14)** Recommend approval of Amendment No. 1 of the FY 2022/23 Lake Tahoe Transportation Overall Work Program (action); (**Page 209**) **15)** Recommend approval to Authorize Executive Director to submit an application to the California Department of Housing and Community Development for the MPO allocation of Regional Early Action Planning (REAP) funds (action); (**Page 217**) **16)** Principal Financial Group Investment Review (Informational only); **17)** Upcoming Topics; **18)** Committee

Member Comments; Chair – Aldean, Vice Chair – Gustafson, Cegavske, Diss, Hill, Hoenigman; **19) Public Interest Comments**

NOTICE IS FURTHER GIVEN that on **Wednesday, November 16, 2022**, commencing **no earlier than 10:15 a.m., on both Zoom**, and at the **Tahoe Regional Planning Agency**, the **TRPA Forest Health & Wildfire Committee** will meet. The agenda will be as follows: **1) Approval of Agenda; 2) Approval of Minutes; (Page 16) 3) Presentation on On-Site Biomass Energy Unit to be proposed at South Tahoe Refuse; (Page 237) 4) Committee Member Comments; Chair – Hicks, Vice Chair – Novasel, Conrad-Saydah, Rice, Williamson; 5) Public Interest Comments**



John B. Hester,
Interim 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	
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Zoom/Tahoe Regional Planning Agency	November 16, 2022
128 Market Street, Stateline, NV	No earlier than 11:15 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 of any length are always 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.

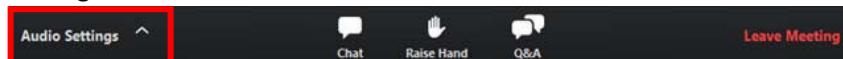
TRPA will make reasonable efforts to assist and accommodate physically handicapped persons that wish to attend the meeting. Please contact Marja Ambler at (775) 589-5287 if you would like to attend the meeting and are in need of assistance. The Governing Board agenda and staff reports will be posted at <https://www.trpa.gov/governing-board-documents-november-16-2022/> 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.



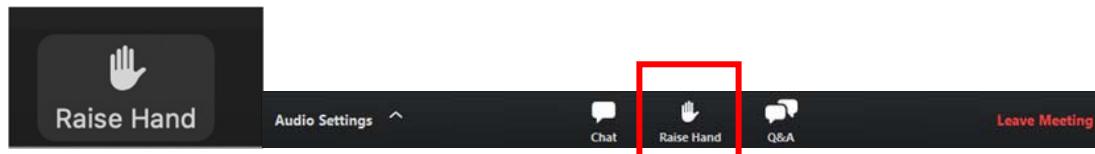
Zoom Webinar - Public Participation

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 – September 28, 2022
(October 26-27, 2022, Governing Board Minutes will be in the December 14, 2022, Packet) [Page 23](#)
- V. TRPA CONSENT CALENDAR (see Consent Calendar agenda below for specific items)

Adjourn as the TRPA and convene as the TMPO
- VI. TAHOE METROPOLITAN PLANNING ORGANIZATION CONSENT CALENDAR (see Consent Calendar agenda below for specific items)

Adjourn as the TMPO and reconvene as the TRPA
- VII. PLANNING MATTERS
 - A. Briefing on the Environmental Improvement Program Strategic Initiative **Informational Only** [Page 223](#)
 - B. Update on progress and priorities from Tahoe Fire and Fuels Team including Caldor Fire Recovery **Informational Only** [Page 225](#)
- VIII. REPORTS
 - A. Executive Director Status Report **Informational Only**
 - 1) Tahoe In Brief – Governing Board Monthly Report **Informational Only** [Page 227](#)
 - B. General Counsel Status Report **Informational Only**
- IX. GOVERNING BOARD MEMBER REPORTS
- X. 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
XI. 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.	
XII. ADJOURNMENT	

TRPA CONSENT CALENDAR

Item	Action Requested
1. October Financials	Approval <u>Page 71</u>
2. Inflation Adjustment to TRPA Rental Car Mitigation Fee	Approval <u>Page 95</u>
3. Release of \$3,700,000 in Excess Coverage Mitigation (ECM) Funds to the California Tahoe Conservancy for Land Bank Acquisition	Approval <u>Page 99</u>
4. FY 2022-2023 State of Good Repair project lists for the Tahoe-Truckee Area Regional Transit (TART) and Tahoe Transportation District (TTD)	Approval <u>Page 103</u>
5. FY 2022-2023 Local Transportation Funds of \$75,000 to the Tahoe Regional Planning Agency for the Administration and Planning of the Transportation Development Act	Approval <u>Page 109</u>
6. Estimated Allocation of FY 2022-2023 Local Transportation Funds of \$1,695,153 to Tahoe Transportation District	Approval <u>Page 115</u>
7. Estimated Allocations of the FY 2022-2023 State Transit Assistance funds of \$757,084 to the Tahoe Transportation District	Approval <u>Page 119</u>
8. Allocation of FY 2022-2023 State of Good Repair funds of \$95,555 to the Tahoe Transportation District for a preventative maintenance project	Approval <u>Page 125</u>
9. Estimated Allocation of FY 2022-2023 Local Transportation Funds of \$939,480 to Tahoe Truckee Area Regional Transit (TART)	Approval <u>Page 131</u>
10. Estimated Allocations of the FY 2022-2023 State Transit Assistance funds of \$638,810 to the Tahoe Truckee Area Regional Transit (TART)	Approval <u>Page 135</u>
11. Allocation of FY 2022-2023 State of Good Repair funds of \$80,627 to the Tahoe Truckee Area Regional Transit for preventative maintenance and the purchase of two transit buses	Approval <u>Page 141</u>
12. Degnan/Struck/Hachman New Multiple-Parcel Pier Project, 5070, 5080, and 5090 West Lake Blvd., Placer County, California, Assessor's Parcel Numbers 097-122-024/-010, -025, & -027, TRPA File # ERSP2022-0003	Approval <u>Page 147</u>
13. Executive Director Compensation Package, effective November 28, 2022	Approval <u>Page 203</u>

TMPO CONSENT CALENDAR

<u>Item</u>	<u>Action Requested</u>	
1. Amendment No. 1 of the FY 2022/23 Lake Tahoe Transportation Overall Work Program	Approval	<u>Page 209</u>
2. Authorize Executive Director to submit an application to the California Department of Housing and Community Development for the MPO allocation of Regional Early Action Planning (REAP) funds	Approval	<u>Page 217</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; Shelly Aldean, Carson City Supervisor Representative; Barbara Cegavske, Nevada Secretary of State; Belinda Faustinos, California Assembly Speaker's Appointee; John Friedrich, City of South Lake Tahoe Councilmember; A.J. Bud Hicks, PresidentialAppointee; Alexis Hill, Washoe County Commissioner; James Lawrence, Nevada Dept. of Conservation & Natural Resources Representative; Sue Novasel, El Dorado County Supervisor; Wesley Rice, Douglas County Commissioner; William Yeates, California Senate Rules Committee Appointee; Ashley Conrad-Saydah, California Governor's Appointee; Vince Hoenigman, California Governor's Appointee; Jessica Diss, Nevada Governor's Appointee.

TAHOE REGIONAL PLANNING AGENCY
OPERATIONS AND GOVERNANCE COMMITTEE

TRPA/Zoom Webinar

October 26, 2022

Meeting Minutes

I. CALL TO ORDER AND DETERMINATION OF QUORUM

Chair Ms. Aldean called the meeting to order at 8:35 a.m.

Members present: Ms. Aldean, Mrs. Cegavske, Ms. Diss, Ms. Gustafson, Ms. Hill, Mr. Hoenigman

II. APPROVAL OF AGENDA & MINUTES

Ayes: [All]

Minutes approved.

III. Recommend Approval of September Financials

Mr. Chris Keillor, TRPA Finance Director, provided the presentation. He brought up a slide showing highlights for the month. First, TRPA met with the Nevada budget office and LCB. Second, TRPA is getting some feedback from the California Department of Finance on the BCPs. Unfortunately, the feedback is not good. At this point the General Fund is in a great deal of stress. The year to date revenue collection is 11% below the budget for the current year. At this point they're rejecting almost every request for new funding against the General Fund. We submitted two BCPs against the General Fund. The smaller one is a standing project so we're looking to see if we can move that somewhere else. The big problem is the state's portion of the 7-7-7 plan for Transportation. This isn't the end of the day. All these decisions are appealable. The Environmental License Plate Fund is in better shape. Thirdly, Anthem is offering TRPA a 5% premium increase for medical insurance premiums, which is a good deal. There is an 8% premium increase being discussed for Federal employees. So we felt like the 5% offer was a good deal.

Mr. Keillor then brought up a chart showing revenues and expenses and explained that it shows that TRPA is on-track moneywise. For revenues, fees are going strong. Planning fees are running higher than the last three years, and August set a new record. The same is true for the number of applications we're getting in. At this point we're not seeing any reduction in our activity. State revenues were received. Grants are showing negative because we bill in arrears. For expenses, compensation is at 20% year to date. We are working on filling all job openings. Contracts are showing a lag, which is normal.

Mr. Keillor then moved on to a chart showing further details of revenues and expenses. The state funds are in. We're at 30% fees for services including inspection fees for boats. Boating inspection fees will go up in the next couple of months as we settle up with the boat ramps, then go quiet during the winter. Grants are showing a lag, which is normal. Fees are very strong. For expenses, labor is on track. We have three positions we're looking to fill: a GIS tech, a Grants Manager, and an Executive Director. Contracts are catching up.

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Mr. Keillor went on to explain that for revenues, TRPA has taken in \$1.6 million in mitigation fees year to date: \$1.2 million for California, and \$0.4 million for Nevada. We collect those funds as people come in and get their permits, but we don't disburse them until a partner agency requests them for a specific project. Therefore we've only made one disbursement so far for \$0.5K.

Mr. Keillor concluded his presentation and asked for questions.

Committee Comments & Questions

Ms. Aldean asked whether TRPA has seen any slow-down in the number of applications coming in.

Mr. Keillor said he would characterize where we are now as the proverbial rat going through the snake. For the past few years we've seen a lot of activity on the up-front stuff. What we're seeing now is the actual shift to the project itself. So the fees remain high because people are executing on their permits.

Mr. John Hester, interim TRPA Executive Director, added that there are some large projects currently in the pre-application stage that have slowed down to go back and refinance.

Public Comments & Questions

None.

Ms. Gustafson made a motion to recommend approval.

Ayes: Mrs. Cegavske, Ms. Gustafson, Ms. Diss, Mr. Hoenigman, Ms. Hill, Ms. Aldean
Motion carried.

IV. Discussion and possible recommendation of Inflation Adjustment to TRPA Application Filing Fee Schedule

Alyson Borawski, TRPA Senior Planner for Permitting and Compliance, provided the presentation. Ms. Borawski began by saying that TRPA is recommending an 8.3% increase to the filing fee schedule based on the Western Region Consumer Price Index. Ms. Borawski added that the present level of filing fees do not cover the costs for the Permitting and Compliance Department. The new schedule will go into effect January 23rd, 2023. We've been doing annual increases. The first one was in 2018 with a 30% increase. That was the first increase since 2007. In 2019 and 2020 we did a 3% increase. Last year in 2021 we did a 5.3% increase. Other changes we're making to the filing fee schedule are just for clarification and making the schedule more helpful for applicants. We've already contacted our MOU partners—Placer County, El Dorado County, the City of South Lake Tahoe—to let them know about this adjustment.

Ms. Borawski concluded her presentation and asked for questions.

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Committee Comments & Questions

Ms. Aldean asked whether the only place in the Basin where domestic animals can be raised is in residential neighborhoods, or are there other areas where that is allowed? And should this go under the General category heading in the fee schedule?

Ms. Borawski explained that each Plan Area Statement has different allowable uses, and that also includes Area Plans. Ms. Borawski said she isn't totally sure which Plan Areas allow it. She said we also have Animal Grazing as a separate use under the General category. Those uses are clear in the code under Allowed Uses where they're labeled.

Ms. Aldean then asked about "Other", which has a specific amount allocated to it. How can we set a fee if the nature of the activity is undetermined? Shouldn't we label that fee "to be determined"?

Ms. Borawski explained that it is really dependent on the project on a case-by-case basis. If we're working with someone and they tell us their project description and it doesn't fit under one category, we might then suggest they use the "Other" category. When that category is used, we're highly aware of the project and have determined it fits within that category.

Mr. Keillor added that there are areas in the fee schedule where the fee is fixed, and those are the ones that are seeing an increase. There are other areas in the fee schedule where the fee is not set and we can fill in the appropriate number, for example with a security deposit fee.

Ms. Borawski gave an example of a time when the "Other" category would be used. She said that in the filing fee schedule, Additions/Modifications is based on floor area of the modification. So if we're reviewing a project and let's say it's on the lake and they're changing the façade of the structure from the lake, we know that project is going to take a little longer than something that isn't on the lake. So the minimum fee for residential modification—if there was zero new or modified floor area—would be around \$900. But that "Other" fee is a little bit more, so it gives us room to say to the applicant, Please use the "Other" fee because we know this is going to take a little bit more time. That is just one example of where we might use that "Other" fee.

Ms. Gustafson added that it was a good point and a good issue to raise because it probably takes staff some time to determine whether the project is going to take longer, so it's good that we have that minimum project fee in place with a way to modify it as necessary. With the variety of unique requests received, some things don't fall cleanly into a category. It takes a lot of staff time just to have that discussion. So the new base fee may sound high, but it is complicated and requires staff time.

Ms. Hill commented that there may be an opportunity for the Board in the future to look at uses that the Board needs to support as a community: day care centers and pre-schools, for example. That is a large fee, and they're grouped in with colleges and schools. Also, public-owned assembly and entertainment. Ms. Hill said that might be something the Board wants to look at in the future to see if we want to support day cares. In my district in Incline Village and Crystal Bay, I think there's only one day care and it's a real problem. So I wanted to put it on the record and see if we can discuss it at a later date.

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Mr. Hester added that when TRPA consultant Arlo Stockham presented his process improvement work to the Board, he said he's looking at pulling all the fees out and putting them into a schedule so we don't have to amend the Rules of Procedure or Code, and also some types of developments we subsidize, and some cost more than their counterparts that are counterintuitive when you look at the Regional Plan. Mr. Hester explained that Mr. Stockham had pointed out that it costs more to do multi-family per unit in town centers than it does single-family in the more hinterland areas, which we're trying to discourage. Mr. Stockham is going to be looking at those types of things, so maybe at that point we can look at the types of usage that Ms. Hill is talking about. I'll pass that on to Mr. Stockham and ask him to contact you directly.

Ms. Hill said that in her County, they're only meeting 45% of their need for day care, so thank you very much for saying that's something we'll be looking at.

Ms. Aldean asked how much flexibility there is with the fee schedule. Is the Agency obligated to use this fee schedule even in extenuating circumstances?

Mr. Hester explained that unless a modification is needed such as the "Other" category, we use what is in the schedule.

Ms. Aldean said that the fee schedule needs to be examined periodically to see whether adjustments need to be made in fees or in these specific exempt categories.

Mr. Hester said that Mr. Stockham's two objectives are: 1) Permitting and Compliance pays for itself; 2) there are things we want to encourage and other things we don't. So some fees will have to go up if we want Permitting and Compliance to pay for itself.

Mr. Keillor jumped in, saying that the question is, if you're going to waive some fees, where does the money come from? Where is the cross-subsidy? Are you going to charge other applicants more?

Ms. Diss said she wanted to second everything that Ms. Hill said. We suffered a lot of daycare closures in COVID and they never reopened. Across the County we're not able to serve the needs of the working public. Childcare is infrastructure according to the Federal Government's latest policy statements. So I agree with Ms. Hill and if it's something we want to waive fees for, like with affordable housing, or pass the fees on to employers or something like that.

Ms. Borawski added that Home Occupation is exempt with TRPA, so if a day care is run out of the home, then they wouldn't apply with TRPA. It would only be if it was stand-alone day care facility.

Public Comments & Questions

None.

Ms. Gustafson made a motion to recommend approval.

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Ayes: Mrs. Cegavske, Ms. Diss, Mr. Hoenigman, Ms. Gustafson, Ms. Hill, Ms. Aldean
Motion carried.

V. California Tahoe Conservancy Briefing on use of Excess Coverage Mitigation Fees

Jen Self, TRPA Principal Long-Range Planner, provided the presentation. She began by introducing Kevin Prior and Aimee Rutledge of the California Tahoe Conservancy, both on the line to join her in today's presentation. Ms. Self explained that TRPA collects mitigation fees as part of the permitting process. One of these fees, Excess Coverage Mitigation, is exclusively reserved for land banks. The use of these funds is reviewed and approved by this Committee. Typically these requests would come from a partner agency and require a motion. Today's item is only informational in preparation for next month when a request will happen. Ms. Self said she would give an overview of the land bank and the Excess Coverage Mitigation program. Kevin and Amy will then provide an overview of the Motel 6 acquisition, which is the subject of this request.

Ms. Self began by saying that the Motel 6 project in South Lake Tahoe has been on the radar for decades. It has huge implications environmentally and for meeting the goals of our Regional Plan, as well as community benefits. The funding request next month from CTC may be upwards of \$3.5 million, coming from the TRPA Excess Coverage Mitigation fund and matched by four to five other California state funding sources. Due to the scale and scope of the project, we thought it would be best to have a precursor conversation with you all today. The project has not yet commenced and the acquisition hasn't occurred yet. CTC is in negotiations with the property owner.

Ms. Self then went over a brief history of the land bank program in Tahoe. The program accelerates the goals of the Regional Plan. There are two land banks currently operating in the Tahoe Basin, and TRPA has MOUs with both. On the California side, it's the CTC, and on the Nevada side, it's the Nevada Division of State Lands. The goal is to acquire and restore aging developed properties, restore ecosystems on sensitive lands, and transfer coverage and development to town centers. The land banks also serve as a repository for development rights, towards accommodation units, residential units, commercial floor area, land coverage. In addition, the land banks acquire asset lands. An example is the asset lands that were in the Tahoe Valley Town Center at the "Y" which were then used for the Sugarpine Housing Project redevelopment. The MOUs that we have in place with the land banks define the role that we have with them and the dedicated funding source that we have with the Excess Coverage Mitigation program. It outlines requirements of using those funds and aligns them with state and regional priorities.

Ms. Self then showed a photo of an example of a legacy development on sensitive lands, saying the CTC may acquire the parcel, remove the development, restore the land there, and then transfer the coverage to other infill redevelopment in town centers.

Ms. Self then gave an overview of the Excess Coverage Mitigation fee program. On average, TRPA collects \$375K per year from the program. The fees are based on the scope of the project, construction costs, the amount of excess coverage existing on a parcel, and also where a project is located. Projects in more sensitive areas or watersheds, for example in steep terrain over near Cave Rock, will pay more through the excess coverage mitigation program. Land coverage is the footprint of built development on the landscape, and that's regulated at a parcel level. Driveways, decks, etc. Each parcel has a coverage limit as defined by our code. Excess coverage is what goes above and beyond the allowable limit on a parcel today. So this is legally existing coverage that TRPA has verified that would have existed prior to our land coverage regulations. So think about a home built in the 1950s or 1960s.

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They may have coverage above what we would allow today, but TRPA verifies that it was built with permits at the time of construction. So once folks have that excess coverage on their property, they have the option to continue to use it and pay the fee, or remove some of that coverage. The majority of property owners we see choose to pay the fee. That goes into our Excess Coverage Mitigation fund, held exclusively for the use of the land banks, and then our MOU outlines how we disburse that.

Mr. Hoenigman asked what triggers the Excess Coverage fees to be assessed. Does that happen at the time of sale? Or while pulling a permit for some new work? Also, what about the process of determining which projects receive the funds? Is that driven by CTC? Or by TRPA? How are the projects prioritized? Also, is there a non-profit partner involved so if people make a sale below market price, they could get a tax rebate?

Ms. Self explained that the fees are triggered during the TRPA permitting process and calculated based on construction costs and the amount of excess coverage that they actually have on the property. As for the question about projects that get prioritized, we've written into the MOUs we have with the land banks a provision saying that we will get together annually and discuss priorities. Most of the discretion is with the land banks. TRPA makes sure they align with Regional Plan goals and policies. Then we work to find alignment. These projects are usually years in the making. There can be a lot of irons in the fire, a lot of projects to choose from. As far as a non-profit involved in this, the Saint Joseph Land Trust is a non-profit organization that is very active in the Tahoe Basin with a focus on housing projects. TRPA did put in place certain incentives for philanthropic non-profit organizations to get involved in asset land acquisitions. Other staff here today may know of more.

Mr. John Marshall, TRPA Legal Counsel, added that TRPA has worked with Trust for Public Lands and other similar entities in the past when there has been a need for something to cover the gap between market price and what will make the deal work.

Mr. Hoenigman asked if we've ever thought about triggering the fees based on sale to accelerate the collection of those fees.

Mr. Hester said in Nevada, it's called Real Estate Transfer Tax, and I believe that TRPA cannot collect tax.

Mr. Marshall said that it could be done. It wouldn't be a tax, but instead a fee. It's another mechanism to speed the off-set of having too much coverage. This would come with a policy debate about whether this is a good opportunity to do that.

Ms. Self said that she welcomes any chance TRPA has to explore fees to encourage redevelopment. It would take a substantial effort to explore or implement something like this. We would also want to make sure we're not increasing housing costs and making housing unattainable. Also, the way we have it now where the fee is scalable based on the project is beneficial to project applicants who are doing a smaller project.

Mr. Kevin Prior, Director of Lands with the Tahoe Conservancy, opened his part of his presentation saying the Motel 6 acquisition has been 30 years in the making. It's a large "ask". It's upwards of \$3.7 million that we're seeking.

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Mr. Prior showed a map of the project area located on Highway 50 and Sunset Drive near the Upper Truckee River and next to the Upper Truckee Marsh, a huge restoration project we've been working on for years. It's downstream from the Tahoe RCD's Johnson Meadow property. The back half of the area is upwards of 23 acres of mountain meadow and wetlands. The proposed acquisition is 31 total acres. It has a 143-unit motel and commercial building. The surrounding area is mountain meadow and stream environmental zone. The parcels qualify for acquisition because they're environmentally sensitive. The front half of the parcel consists of four acres on a former flood plain, the "Motel 6 Parcel". It sits on eight feet of fill. Significant hard coverage on an SEZ, and a number of tourist accommodation units, as well as commercial floor area and some residential units of use. If we were to acquire it, we would preserve all of it into the future as open space and wildlife habitat.

Mr. Prior then showed an aerial map of the overall Upper Truckee watershed. He explained that this acquisition is important because it fills in and provides contiguous ownership through the Upper Truckee River corridor.

Committee Comments & Questions

Ms. Aldean asked for the total cost of the acquisition and the additional sources of funding for the acquisition.

Mr. Prior answered that their Governing Board approved up to \$10 million for the acquisition, including site stabilization and the demolition of the buildings. We have a grant with the Wildlife Conservation Board that we're pursuing. We also have a California Department of Fish and Wildlife grant that's been awarded at \$1.5 million. We're seeking \$3.7 from TRPA, and we have close to \$4 million in state funds.

Mr. Marshall said he thinks CTC would come in next month for the approval of the release.

Mr. Keillor said that TRPA will probably transfer the money to the escrow.

Ms. Gustafson asked whether there is any competition for the site.

Mr. Prior said there is indeed competition from private entities so we're making sure our offer is appropriate. As we pursue the acquisition, the Appraiser has a number of ways to analyze what the highest and best use of the property is and to determine the fair market value of the property.

Mr. Hoenigman asked whether the undeveloped part of the property would be able to be purchased or preserved in the event we don't get the property.

Mr. Prior said yes, we would be interested in acquiring the unbuildable back portions of the property too if we don't get the full property sale. We would talk to the buyer about this.

Mrs. Cegavske asked how much money from each state would be asked for.

Mr. Prior said we're currently only pursuing California funding plus TRPA funding.

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The mitigation funds come from projects in California.

Mr. Keillor said the California side generates about \$375K per year in Excess Coverage Mitigation fees.

Ms. Aimee Rutledge joined in to thank the TRPA for their partnership on this project.

Public Comments & Questions

None.

VI. Quarterly Treasurer's Report (Informational Only)

Mr. Keillor, TRPA Finance Director, provided the presentation. Mr. Keillor began by saying that all investments are in compliance with TRPA's Investment Policy. Mitigation fees and security fees comprise \$24.4 million of the investments. The breakdown of investments is as follows: \$22.3 million in LAIF (working capital); \$1.2 million in LGIP, and \$11.8 million in the Principal Group. The average life of the Principal Group pool is 293 days, or 9.8 months.

Mr. Keillor concluded his presentation and asked for questions.

Committee Comments & Questions

None.

Public Comments & Questions

None.

VII. Upcoming Topics (Informational Only)

Mr. Chris Keillor, TRPA Finance Director, provided the upcoming topics presentation. For future Operations and Governance Committee meetings, on the agenda for November are: the CTC ECM Release, the OWP Amendment #1, the TDA Allocations, the Rental Car Mitigation Fund Increase, and the Investment Briefing from the Principal Group. Going forward after November, future agenda items will include the TRPA Fiscal Year 2022 Audit in December, and the Mitigation Fee Increases in February.

Committee Comments & Questions

None.

Public Comments & Questions

None.

VIII. Committee Member Comments

None.

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IX. Public Interest Comments

None.

X. ADJOURNMENT

Ms. Gustafson made a motion to adjourn.

Ayes: [All]

Chair Ms. Aldean adjourned the meeting at 9:45 a.m.

Respectfully Submitted,

Georgina Balkwell
Senior Management Assistant
Current Planning Division

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TAHOE REGIONAL PLANNING AGENCY
FOREST HEALTH AND WILDFIRE COMMITTEE

GoToWebinar

November 17, 2021

Meeting Minutes

I. CALL TO ORDER AND DETERMINATION OF QUORUM

Chair Mr. Hicks called the meeting to order at 8:31 a.m.

Members present: Mrs. Cegavske, Mr. Friedrich, Mr. Lawrence, Ms. Williamson, Mr. Hicks, Ms. Novasel

II. APPROVAL OF AGENDA

Ms. Ambler stated no changes to the agenda.

Mr. Hicks deemed the agenda as posted

III. Discussion and possible recommendation of Forest Health Code Language Regarding Mechanical Ground-based Equipment on 30-50% Slopes, Chapter 61 Vegetation and Forest Health - Sections 61.1.6.B. through 61.1.6.D

[Forest Health Code Amendments](#)

TRPA Forest Health Program Manager, Dr. Kat McIntyre presented the item. Dr. McIntyre began by providing an overview of the background, history and need for these amendments.

Dr. McIntyre reminded members that the Angora Fire struck in South Lake Tahoe in 2007, and burned approximately 3,100 acres, and over 250 structures. The 'Emergency California-Nevada Tahoe Basin Fire Commission Report was produced as a result of that fire. This was a collaborative, bi-state effort to consider and recommend a variety of recommendations on policy, implementation, and education, regarding vulnerability to fire and forest resilience, within the basin.

One of the biggest outstanding recommendations to come for the Commission Report was Recommendation 17 regarding Simplifying Regulations, Subpart J:

"The Commission recommends the Tahoe Regional Planning Agency, The Lahontan Regional Water Quality Control Board, USDA Forest Service, and other affected agencies amend their planet ordinances to allow equipment use on slopes greater than 30% based on current and future technology and current forest practices to ensure research resource protection."

In September 2021, Chris Anthony from Cal Fire gave a Caldor Fire briefing to the TRPA Governing Board, during which he highlighted that this last recommendation is critical in terms of reducing fire risk, and overall forest resilience within the basin.

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Referring to slide 5, Dr. McIntyre described photographs that illustrate Fire Treatment Effectiveness for the Angora Fire. The quote from Safford et al., 2009, states,

"Our results show that fuel treatments generally performed as designed and substantially changed fire behavior and subsequent fire effects to forest vegetation. Exceptions included two treatment units where slope steepness led to lower levels of fuels removal due to local standards for erosion prevention. Hand-piled fuels in one of these two units had also not yet been burned." Dr. McIntyre said this statement highlighted the reason for the proposed amendments.

Dr. McIntyre also described photographs (slide 6) from the Emerald Fire, where the photograph on the left side, shows an untreated area where all the trees were scorched and burned. As the fire moved into treated areas (right photo), the fire dropped to the ground with the result that there was much less tree mortality and scorched earth. This highlights how the ability to access and treat areas, with ground-based equipment is critical, not only for forest resilience, but also for reducing fire severity.

Dr. McIntyre said that within the Lake Tahoe Basin, approximately 6,100 acres, or 27% of total land, falls on slopes of 30 to 50%. It is important to remember that not all of those are forested areas. Of those acres 25,300 acres, or 41%, fall within Wildland Urban Interface (WUI) defense and WUI threat zones. As highlighted by the Caldor Fire, those are the areas around communities and neighborhoods, where treatment is critical, in order to protect those communities, and to allow firefighters to get in and perform their work when managing a wildfire. Finally, the majority of acres are on federal lands - 47,000 acres or 77% fall on federal lands.

Dr. McIntyre added that outside of the basin, other agencies, and implementers, are allowed to use ground-based mechanical equipment on slopes above 30%. Currently, both the California Forest Practice Act, and Nevada Division of Forestry Regulations, allow the practice.

Currently, the Code of Ordinances, allows for hand treatment on slopes of greater than 30%, so does not allow the use of ground based mechanical equipment. This can be problematic for a variety of reasons. Firstly, hand treatments are often more resource intensive, and therefore more costly. When talking about limited funding, and limited budgets it means that the funding cannot go as far.

Dr. McIntyre said that they also know that pile burning is less ecologically beneficial than a broadcast burn. While the proposed code amendment will not completely replace pile burning, we will see a large reduction of piles on the landscape, if we are able to use ground-based mechanical equipment. All of this also has implications for the pace and scale of restoration, and there is wide recognition that we need to increase the pace and scale of our treatments.

Dr. McIntyre said that staff had engaged with science partners, the Pacific Southwest Research Station, to assess the erosion effects of a variety of restoration treatments, on hill slopes and soil types within the Lake Tahoe West Landscape, and then across the entire Lake Tahoe Basin. In July 2021, the science partners presented to the Forest Health Wildfire Committee on the initial results in their WEPP (Water Erosion Prediction Project) Report. The complete report is attached to the Staff Report in the GB Packet.

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Dr. McIntyre highlighted a few of the key findings from the report. The WEPP Report found that sediment and phosphorous yields from moderate or high severity fires, were significantly more than all thinning scenarios. So, even the most robust thinning scenario (that would never be considered in the basin), was not producing as much sediment or phosphorus as a moderate or high severity fire. They found that Land Managers would need to apply thinning treatments more than 50 times within 60 years to generate erosion that would eliminate the benefits of reducing wildfire severity from moderate to low. Dr. McIntyre said that scenario is completely unheard of, and would never happen.

The WEPP Report also found that most sediment yield on slopes between 30 to 50%, comes from areas that are covered by shrubs and grasses, and not from forested areas. So, those areas are actually not going to be subject to ground based mechanical equipment.

Finally, on hillslopes between 30% and 50% thinning will increase the risk of erosion, but when thinned hillslopes erode, the sediment yield is no different when compared to an untreated hillslopes.

Following the release of the WEPP Report, Dr. McIntyre began work with key Tahoe Fire and Fuels Team members to collaboratively review, and craft code language that maintains environmental protections, while allowing for the increased use of ground based mechanical equipment on steeper slopes.

The proposed code amendments fall into two main categories. The first is ‘clarification and standardization’, and the second is ‘expanded treatment opportunities’.

Dr. McIntyre provided an overview of the code amendments for clarification and standardization. The first piece (slide 15) is around “Inclusion of over frozen ground tree removal”, and just standardized with previous code updates, to include removal of trees over snow, and over frozen ground. The original amendment was based on the fact that going over frozen ground is often less environmentally impactful, than going over snow.

Secondly, for the Refinement of Equipment Definitions (slide 16), staff refined the equipment definitions to reflect the current suite of machinery and technology available for tree removal, and to reflect what is actually occurring out in the field.

The next major section of proposed code amendments is for Expanded Treatment. Slide 18 shows refinements to Table 61.1.6-1, including removing the word ‘roads’ from ‘tractor roads and main skid trails. Implementors felt that we typically think of a road as being engineered to specific standards, when in fact, they are really actually using tractor trails. The other refinements to Table 61.1.6-1 are an increase in the maximum grade for ‘tractor and main skid trails’ and ‘secondary skid trails’, from 30% to 50%.

Refinement of Table 61.1.1-3 (slide 19) shows the amendment to replace the TRPA water break spacing requirements, with the California Forest Practice Act water break spacing requirements. Dr. McIntyre reminded APC members that while the California Practice Act allows implementers to go up to 65%, the proposed amendment only goes up to 50%, so the revised table is a cropped version of the California Practice Act table, up to 50%. Staff feel this is a good substitute, because it gets away from the Land Capability District piece, while maintaining the hazard rating (which includes slopes, soil type, parent rock) so still encapsulates what goes into the Land Capability

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Districts. Both California and Nevada representatives were comfortable with this substitution.

Slide 20 - Refinement of Table 61.1.1-4 (areas over 30%) shows additional proposed language to add *“Use of ground-based equipment and skidding may be used pursuant to 61.1.6.F.1 through 61.1.6.F.5 with approval by the TRPA”*

Slide 21 shows the proposed language for skidding on 30%-50% slopes. Dr. McIntyre explained that this was the big addition, *“Ground skidding may be permitted on slopes under 30%. Ground skidding on slopes between 30 and 50% requires TRPA review and approval to ensure that environmental protective measures (e.g., water breaks, vegetative buffers, slope length limitations, and remaining group cover post-treatment, erodible soil avoidance) will be in place to minimize slope erosion.”*

Slide 22 shows the proposed language for ground-based mechanical equipment on 30% to 50% slopes, which says, *“On slopes between 30% to 50%, ground based vehicle systems for tree removal requires TRPA review and approval to ensure that environmental protective measures (e.g., water breaks, vegetative buffers, slope length limitations, and remaining group cover post-treatment, erodible soil avoidance) will be in place to minimize slope erosion.”*

Dr. McIntyre summarized by saying that the Caldor Fire highlighted the critical importance of forest treatments and defensible space work. She said that the Tahoe Fire and Fuels Team produced their Forest Action Plan in 2019, and the plan charts a way to collaboratively accelerate landscape restoration and wildfire protection, focusing on technology capacity, and streamlining permitting and planning. Dr. McIntyre said that the proposed amendments have received almost unanimous support from the Tahoe Fire and Fuels Team (TFFT).

With the plan in place, staff have seen an influx of funding for forest treatments and resilience, and feel that these code amendments will help increase the pace and scale of work to increasing fire resilience and reduce fire risk.

Committee Comments & Questions

Mr. Hicks noted that the amendments make several references to “TRPA review and approval”, and asked what that process involved. Dr. McIntyre explained that projects are submitted to the TRPA Forester, who performs an initial review. The review and findings are then forwarded to the EIP Division Manager and/or the Forest Health Program Manager for further review. Following sign off, the project is then circulated through TRPA legal review, before being sent to the Executive Director for signature.

Mr. Bruce Barr (TRPA Forester) added that this process describes the process under the MOU between TRPA and the U.S. Forest Service. He said that for the standard MOUs with state lands and the fire districts, anything that is part of their MOU is exempt from review. For example, if they are removing a small number of trees on an urban lot, they may not require any review from TRPA. It is the intention, that when (and if) these code changes are approved, staff will standardize all the MOUs.

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Referring to smaller projects, Mr. Hicks asked how long it might take for a project review to be done. Mr. Barr said that for a small private parcel, a tree removal application would be submitted directly to him, and he will make a site visit and, if appropriate, issue a permit, within one week. For a larger project that requires a more comprehensive review it usually takes two weeks.

Mr. Hicks said that he was on the Bi-state Fire Commission that reviewed the Angora Fire. Recommendation 17 took a lot of time and discussion, and there was great interest in opening up the region for this type of treatment. The Commission was not just focused on environmental impacts, but also on the preservation of life, property, and safety.

Mr. Hicks said that the Commission were unanimous in their support for this recommendation, but that at the time, there was a doubt about the available equipment. Fast forward 14 years later, and we do have better equipment. We have seen progress in regard to stream environment zones, and now we're being asked to do the same for steeper slopes. Mr. Hicks said he was an advocate for the recommendation 14 years ago, and he is an advocate for the amendments today. It will be a tremendous relief to see these amendments pass.

Ms. Novasel said she appreciated the history lesson because she had questions about how they had landed there in the past. Looking forward, she asked if they were expediting this process to get this done as fast as possible, in the knowledge that funds are available, and the fire threat is not going away. Dr. McIntyre said that TFTT are already looking at how they can prioritize work, prioritize funding and build capacity. In terms of project review, she is confident that projects will still move through quickly, while maintaining environmental protection. The TRPA review process will not hold things up.

Mr. Lawrence thanked Mr. Hicks for his leadership, and thanked staff for their work. He thinks this is a critical issue. Nevada have been undertaking fuels treatment work for a number of years and are now at the point where most urban lots have been treated. But there is still a lot of work to be done at Van Sickle State Park and in the Spooner Back Country. The nature of Nevada in the Tahoe Basin is a lot of steep slopes. They use hand crews where they can, but it is very slow and also has environmental impact. Like Mr. Hicks, he has been a long-time advocate and is confident that there are enough safeguards in place.

Ms. Faustinos questioned how much of this ordinance affect designated wilderness areas, and asked if there are any designated wilderness areas in the Wildland Urban Interface (WUI). Dr. McIntyre responded that approximately 6,000 wilderness acres fall on 30-50% slopes, but the Forest Service has specific safeguards in place for wilderness areas. One safeguard is that mechanized equipment is not allowed, so those acres (mostly exposed granite) would not be slated for treatment. Dr. McIntyre added that there are no wilderness areas in the WUI.

Mr. Friedrich commented that anyone who views the 60 miles of dozer lines that were pushed under emergency conditions, to save the town from the Caldor Fire, will see a good example of what happens when we don't do preventative thinning. He believes that the time is right to move forward with these amendments.

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November 17, 2021

Public Comments

Mr. Eric Hornvedt, Forest Fuels Coordinator at North Tahoe Fire Protection District and Project Manager for the Tahoe Program Timberland Environmental Impact Report (TPTEIR). Mr. Horvedt reported that Lake Valley Fire Protection District, North Tahoe Fire Protection District, California Tahoe Conservancy, and other members of the TFFT, under CEQA lead of Cal Fire, did complete, finalize, and approve a programmatic Timberland Environmental Impact Report, for state, local and some federal lands, within the WUI on the California side of Lake Tahoe. What does that mean? They wanted to go after program objectives of reducing the risk of catastrophic wildfire, increasing forest resilience, protecting, and restoring meadow and riparian ecosystems, developing, and implementing all lands fuel reduction, while also looking at forest health improvement and restoration.

Part of this treatment includes not only analysis, but also language that would support the utilization of appropriate mechanical treatments on slopes of 30-50%. He wanted to emphasize that the proposed amendments were not created in a vacuum, and that a lot of code driven analysis work has been undertaken.

Mr. Teshara of Sustainable Community Advocates, said he has the honor of assisting some of the local basin Fire Chiefs, and in that context, work with the TFFT. He thanked Mr. Hicks for his accurate and eloquent description of some of the discussions that were part of the Angora Bi-state Fire Commission. Mr. Teshara said these amendments have been in the works for a long time and he believes we have come to the point where it is time to move forward with a recommendation, and ultimately to approval by the Governing Board.

Mr. Lawrence made a motion to recommend Regional Plan Implementation Committee, and Governing Board approval of the proposed Code of Ordinance amendments, as presented in Attachment A.

Ayes: Mrs. Cegavske, Ms. Faustinos, Mr. Lawrence, Mr. Friedrich, Ms. Novasel
Motion carried.

As a non-voting member, Mr. Hicks asked that the record reflect he is also in favor of the motion.

IV. Public Interest Comments

None.

FOREST HEALTH & WILDFIRE COMMITTEE

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V. ADJOURNMENT

Ms. Novasel made a motion to adjourn.

Chair Ms. Aldean adjourned the meeting at 9:24 a.m.

Respectfully Submitted,

Tracy Campbell

Tracy Campbell
EIP Executive Assistant

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TAHOE REGIONAL PLANNING AGENCY
GOVERNING BOARD

TRPA/Zoom

September 28, 2022

Meeting Minutes

I. CALL TO ORDER AND DETERMINATION OF QUORUM

Chair Ms. Gustafson called the meeting to order at 10:46 a.m.

Members present: Ms. Aldean, Mrs. Cegavske, Ms. Conrad-Saydah, Ms. Diss, Ms. Faustinos, Mr. Bass (for Mr. Friedrich), Ms. Gustafson, Mr. Hicks, Ms. Hill, Mr. Hoenigman, Mr. Lawrence, Ms. Novasel, Mr. Yeates

Members absent: Mr. Rice, Ms. Williamson

II. PLEDGE OF ALLEGIANCE

Ms. Aldean led the pledge of allegiance.

III. APPROVAL OF AGENDA

Mr. Hester stated no changes to the agenda. Ms. Gustafson deemed the agenda approved as posted.

Mr. Hester introduced Mr. Walker, Lake Tahoe Basin Management Unit, Forest Supervisor who sits on this Board for the TMPO.

IV. APPROVAL OF MINUTES

Ms. Aldean said she provided Ms. Ambler with her clerical edits and moved approval of the August 24, 2022 minutes as amended.

Motion carried – voice vote

Mr. Bass and Ms. Conrad-Saydah abstained.

V. TRPA CONSENT CALENDAR

1. August Financials
2. Release of City of South Lake Tahoe Water Quality Mitigation Funds (\$540,152.48) Air Quality Mitigation Funds (\$200,000.00), and Stream Environment Zone (SEZ) Mitigation Funds \$87,395.97) towards the Tahoe Valley Stormwater and Greenbelt Improvement Project
3. Release of El Dorado County Water Quality (WQ) Mitigation Funds (\$60,000.00), for the Oflyng

GOVERNING BOARD

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Water Quality Project

4. Kennelly Family Trust – Existing boat ramp to multiple parcel pier Conversion Washoe County APNs 122-181-26 & 122-181-27, 865 & 869 Lakeshore Boulevard, Incline Village, Nevada TRPA File # ERSP2021-0055
5. Nessebar Holdings II, LLC New Multiple-Parcel Pier, 4950 & 4960 North Lake Boulevard, Placer County, California, Assessor's Parcel Numbers (APNs) 115-050-034 & 115-050-033, TRPA File Number ERSP2022-0001
6. APC Membership reappointment for the El Dorado County Lay Member, Jason Drew

Ms. Gustafson said there are six items on consent with three of them reviewed by the Operations and Governance Committee and three of them by no committee.

Ms. Aldean said there were some significant events that she'd like to report to the Board. Starting with the receipt of the annual contributions from California in the amount of \$5 million dollars and from Nevada, the amount of \$2.1 million. Receipt of about a \$105 million from fourth quarter Grant invoices, and \$1.7 million from fees and other sources, which in part reflects a continued increase in planning fee revenues. According to Mr. Keillor, this is a watershed moment, this represents probably the largest month in terms of gross receipts for many years and may have in fact, set a record. In addition, all expenditures remain within budget. Items two and three involved the release of mitigation funds. The Operations the Governance Committee recommended approval of items one, two, and three.

Governing Board Comments & Questions

Ms. Aldean said with respect to item number four, Kennelly Family Trust. She communicated with Ms. Good yesterday regarding something in the permit having to do with identifying the number of mooring buoys that will be in existence in connection with its project following the completion of the development. On page 46, it indicates that the existing condition is three mooring buoys associated with the first Assessor Parcel Number (APN) and two mooring buoys associated with the second APN.

Ms. Good confirmed that should be amended to read that APN 122-181-26 at the conclusion of the development, there will be two mooring buoys and one boat lift and APN 122-181-27 will have one mooring buoy and one boat lift because they converted two of the buoys to boat lifts.

Public Comments & Questions

None.

Board Comments & Questions

Ms. Aldean moved approval of the consent calendar with the amendment to item four.

Ayes: Ms. Aldean, Mrs. Cegavske, Ms. Conrad-Saydah, Ms. Diss, Ms. Faustinos, Mr. Bass, Ms. Gustafson, Ms. Hill, Mr. Hoenigman, Mr. Lawrence, Ms. Novasel, Mr. Yeates

Absent: Mr. Rice, Ms. Williamson

Motion carried.

GOVERNING BOARD

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VI. PLANNING MATTERS

A. Briefing on Transportation and Sustainable Recreation Initiative:

- 1) Destination Stewardship: TRPA Staff and USFS Representatives
- 2) Keeping Tahoe Moving: TRPA and TTD Representatives

TRPA staff Ms. Self and Ms. Glickert, Mr. Walker, Forest Service, Lake Tahoe Basin Management Unit, and Ms. Hill, TRPA Governing Board Member and Commissioner for Washoe County provided the presentation.

TRPA staff, Ms. Regan, introduced the item. The last time that they spoke about Destination Stewardship and Transportation was in May 2022, when they were just launching the Destination Stewardship program in collaboration with a host of partners around the Tahoe Basin and Truckee.

Since then, a lot of activity has occurred and they wanted to provide an update that they've packaged in the initiative framework connected to transportation because many of the items that they're hearing about are concern in the community, and opportunities for investment, that really relate to transportation. Bringing these two together, made sense and it's a top-of-mind issue not only for the Lakes health and the quality of the environment, but also for our communities.

Mr. Walker, Forest Supervisor for the Lake Tahoe Basin Management Unit hails from Southern California, but got his degree from the University of Nevada, Reno and is a true bi-state individual, like so many of them are. They're happy to have him back in the Tahoe Basin after starting his career here in the early 1990s. Mr. Walker will discuss not only what's happening here in Tahoe with the local Forest Service unit, but also at the national level in terms of sustainable recreation.

Before that, she must give proper credit to this ground swell of support that they've had for the topic around Sustainable Recreation and Destination Stewardship. It really was before Covid when the Basin started grappling with some issues. The Forest Service had a presidential fellow that brought some great ideas forward to the Tahoe Basin. They formed a working group that TRPA and the Forest Service co-ed that Sustainable Recreation Working Group, and brought that into the partnership around the Environmental Improvement Program that ended up creating a whole new focus area of EIP sustainable recreation and transportation combined. Fast forward through Covid and those pressures were experienced to an even greater degree, and they've taken this partnership to a new level.

The core team that they'll be hearing about is truly the first time that their local land management agencies like the Forest Service, and both Nevada and California State Parks have sat at the table in a very collaborative way with our visitors' authorities, business community, nonprofit partners, and TRPA is proud to help convene this partnership in this facilitation. People are taking note that no one destination around the entire globe has solved all these kinds of problems. They're learning from the best, they're guided by a consulting team through the Center for Responsible Travel. Next week, herself and Ms. Self will be presenting to the Columbia River Gorge Commission some of the work that they're doing in Tahoe, who are very curious to hear and learn from their experience, because they're experiencing many of the same challenges around Sustainable Recreation, Destination Stewardship, and Transportation.

After Ms. Self and Mr. Walker present, they'll transition into transportation because they are embedded. TRPA staff, Ms. Glickert and TRPA Board member, Ms. Hill in her capacity as the chair of the Tahoe Transportation District will also provide presentations.

The Compact was visionary in so many ways. The recreational values were mentioned in the Compact as the charge of this body and reducing dependency on the private automobile and how they do that in the era of climate change, is one of the key challenges for you, for our communities and for the Lake itself.

(Presentation continued)

Ms. Self, TRPA Long Range Planning Program Manager said she'll discuss what's under the umbrella of this initiative, and then go into more detail about Destination Stewardship, what this concept is, what are they trying to address, and what are some of the potential strategies and solutions coming out of that work?

Under the Keeping Tahoe Moving Initiative which is a strategic initiative under the Agency's work plan that has been approved by the Board. There are five tracks or focus areas that they're operating in today, and they're working together in unison; the Regional Transportation Plan that is the overall blueprint for a connected transportation and trail system, Corridor Management Plans that are more location specific parking and congestion management plans, as well as equity and access, trail connectivity, and then the Destination Stewardship.

There is broad consensus that to meet the growing travel demand and provide protection to Lake Tahoe as a world-class destination, the region needs a transformation. So much of what they do at a regional scale, these tracks shown on slide 2 are not static projects or tasks, there's a complex web within each of them of partnership building and collaboration, implementation, convening, education and training, being an advocate, harnessing sustainable funding, and ensuring that they have the measure and monitoring metrics in place to measure success and adaptive management.

All these components are happening all at once under the umbrella of this initiative. Everything that they set out to accomplish under this Keeping Tahoe Moving Initiative is the balance of infrastructure and behavior change. How are they getting folks to use the transit systems to think differently about when they travel to Tahoe, and how are they taking care of Tahoe once they're here? Encouraging this behavioral change isn't anything new, they all experienced an example of this during the recent heat waves where they received messages on their phone to please conserve energy between 4:00 and 9:00 p.m. It's about getting people to think intentionally about their use and their impact to the overall collective.

At the root of this initiative, it's about how do they collectively determine a better, more strategic and intentional way to move people to, from, and around the region and how do they better manage the Region's recreational offerings.

In August, the Board received a briefing on the US Highway 50 East Shore Corridor Management Plan and the Transportation Equity Study. Under the umbrella of this initiative for today, the focus will be on the key programs or projects as shown on slide 3. This includes the Destination Stewardship planning work, Sustainable Transportation funding, the Active Transportation Plan and

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accelerating the Regional Transportation Plan Implementation, and that includes a programmatic element such as travel demand management. They'll also hear an update on the Washoe County Tahoe Transportation Study and the Tahoe Short Range Transit Plan. First under the umbrella of this initiative is an update on the Destination Stewardship work.

They are all aware visitation is a main driver to Tahoe's \$5 - \$6 billion-dollar annual economy and this is largely based on seasonal tourism and outdoor recreation. Tahoe is roughly one third the size of Yosemite National Park yet receives three times the amount of visits. This includes our tourist commuters, service workers, day trippers and local residents traveling in and around the basin every year. This puts metropolitan level travel demands on the regions limited and largely rural transportation system and our recreation sites.

The allure of Tahoe is its environment and accessibility. Tahoe is driving distance from large metro areas and 90 percent of our land mass is public lands. We have recreational activities year-round and there's a wide array of lodging options available at different affordability levels. This increase in visitation is also tied to climate. At the end of this summer, when there were 110 plus degree weather in the Central Valley, they know that draws visitors up to Tahoe and puts increased pressures on the infrastructure. This trend of Tahoe as a refuge for people and attracting visitors from all over the world, is going to continue to increase and this isn't true of just Tahoe, it's true of outdoor recreation around the world and across the United States. According to the outdoor foundation, 164.2 million (54 percent) Americans, participated in outdoor recreation activities at least once last year, and that's been the highest on record. The graph on the left of slide 6 shows that public interest in visiting outdoor oriented destinations has increased 42 percent in just the last few years. The bar graph on the right shows how this trend is growing nationally, since 2007.

Knowing that we have this pressure now, and it's only going to continue to increase and put a strain on the infrastructure and recreational sites, there's this collaborative of partners turning to what's called Destination Stewardship.

Destination Stewardship is about being more intentional about how places manage visitors and use in order to protect the local environment and quality of life. Slide 7 mentions "Unbalanced tourism" which can result in visitation surges and spikes that can cause that strain on staffing, roadways, parking, and the patients of the local residents. It can also mean that expectations of a place like Lake Tahoe and the experience when someone comes to visit, or a local residence goes out to recreate that those expectations aren't matching reality. They are not alone in the shift of thinking more intentionally about how to manage use and visitation. Destination Stewardship or responsible travel is sweeping across the globe in places like Amsterdam, Scotland, New Zealand, and destinations in America, like Hawaii, Jackson Hole, Wyoming, and Vail, Colorado. In the last few years, Hawaii has planned and launched a massive undertaking to bring more awareness to the Hawaiian culture, and how they value and care for the Hawaiian Islands. Slide 7 shows a screenshot showing an ad campaign from Amsterdam. They're trying to mitigate the harmful impact of more of the party destination culture that they've become known as and how can they encourage better awareness and let people know of the consequences of rude behavior.

Slide 8 shows an example of shifting behavior in a holistic approach for Muir Woods. There was a constituency of Lake Tahoe partners that went down to Muir Woods for a field trip a few years ago. This was an ecosystem that was being overrun by extremely high use and high peaks. The floodgates were open, and everyone was coming in at the time that they wanted to. The

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community and National Park service implemented a combined approach, using a reservation system, more bus transit, elimination of roadside parking, and better education and outreach. Through this holistic approach they've had a high rate of success. They've reduced peak daily visitation by 45 to 50 percent.

In the past, staff shared the planning and implementation of the Highway 89 Corridor Plan, and this holistic approach of how to combine different strategies was identified in that as well. Using these strategies and tactics are not necessarily being restrictive on the amount of people that can come, it's not more tourists or less tourists, it's about how to better disperse visitation and use over time. In the example of Muir Wood, it's actually serving the same amount of people just over a different time horizon. It's a shift from being reactionary to being more proactive.

At the bottom left of slide 8 shows that if they to use similar tactics to Muir Woods for Emerald Bay, the orange line shows the surge of visitation, with a large number of people coming in the early afternoon, putting that strain and pressure on congestion and parking, etc. The gray line shows that if they were to use a reservation system, having that same volume spread out over time to better manage that use. In Muir Woods they've already been seeing the lasting beneficial impacts to the ecosystem and the local businesses and community.

Stewardship is not anything new to Tahoe, it has always really been intrinsic to the Tahoe community and a lot of our businesses. There's a vast and varied partnership helping to take care of Tahoe from litter abatement, coordinated messaging, ambassador programs, bicycle advocacy, wildlife protection, etc. All these programs encourage all of the visitors, businesses, and residents alike to take better care of Tahoe.

There's also a significant shift happening with what used to be called the Destination Marketing Organizations where they're making a shift organizationally, financially, and with staffing to shape their role in destination management. This includes the 'Know Before You Go' campaign, stewardship pledges, and who are they marketing to and how are they presenting Tahoe to the greater audiences.

There's also this growing momentum happening at the State and national levels as well. For example, in March, Nevada Governor Sisolak signed the State's first agreement for Recreation Shared Stewardship. This brings together tourism boards, state agencies, and federal land managers to better manage outdoor recreation throughout Nevada. The Nevada Office of Outdoor Recreation, led by Colin Robertson, is providing leadership and his offices participation in what's called the Confluence of State. All the state offices of outdoor recreation are really shaping and advocating for a national level outdoor recreation.

Likewise, the State of California have launched a statewide program and policy direction aimed at equitable access on all our public lands. In the last few weeks, the California Tahoe Conservancy awarded near nearly \$500,000 to local programs and organizations to help minority groups and youth experience the great outdoors.

(Presentation continued)

Mr. Walker, Forest Supervisor, Lake Tahoe Basin Management Unit said today he'll provide a Forest Service centric presentation and how this ties into the broader efforts that are being discussed

today.

Recently, the Chief of the Forest Service, Randy Moore rolled out the Reimagine Recreation Campaign and is an acknowledgement of the fact that nationally there's \$689 billion economic output from recreation and tourism. That generates about 4.3 million jobs across America. It's a highly important and influential element of our society.

Historically, that was not necessarily the case with the Forest Service because for one, the recreation tourism industry came at them from 27 different directions rather than with a unified voice. When you took into account the individual uses or sectors, it amounted to a bunch, but it just didn't grasp the attention of the Agency, the administrations, and members of Congress. Now, they've unified and when you say you're a part of a \$689 billion economy, people listen. That is where they are at now as an agency. They're at a very fortunate time, because of things like the passage of the Great America Outdoors Act because other bills that have been passed, aren't recreation, tourism, or transportation centric. The monies that are coming in around forest health, wildfire mitigation, those type of things that are front and center, they've seen the legislative actions taken both at Federal and State levels to address that is freeing up some bandwidth both in revenue and staffing to address this much needed investment.

The Reimagine Recreation Campaign has three elements: They're looking to reengage, so, they need to get with their partners, the public, the Tribes and others to try and understand what is wanted today, and going into the future. They can't continue to use a model that may have served in the 1960s and 1970s that hasn't evolved. They need to reengage and find out what is it that the public wants from their landscapes. Then they need to invest in those landscapes with the funding like the Great America Outdoors Act, regular appropriated dollars, and monies that can be available; soft monies through partnerships, grants, and other things, also, they can be a source of those types of monies to their partners and public. Then they want to reinvent, they just can't do what they've always done. They need to move into the 21st century - Federal Government takes a while to get there sometimes, and feel that they are embracing the needs of today and tomorrow through this effort.

Every five years they do national visitor use monitoring and in 2019, they showed about 150 million visits to the National Forest across America which surged to 168,000,000 in 2020, and slightly receded in 2021 to 156 million. Nevertheless, they've seen an increased spike in use, and to some degree a consistent use in the National Forest. They have a strategy in place nationally to address that. To tier down to a lower level at the regional level, the Forest of California, and those parts that they host in Nevada, they are developing a focused recreation strategy that mimics the national effort that will include similar elements. They've been doing assessments this summer of what we have, they'll be doing listening sessions and outreach sessions over the winter and spring to find out what it is that they need to do and do better. Then they'll develop action items moving through 2023 and beyond to move those into place.

This isn't just standalone efforts. In the state of California, there's the California Wildfire and Forest Resilient Action Plan. There are stated goals in that action plan that work to address equitable access, sustainable recreation, having landscapes that support the top types of uses that the public wants to engage in. Even though it seems like a very centric Forest Health Wildfire issue, they acknowledge that recreation and access is an integral component to be successful.

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Lake Tahoe through their visitor use monitoring is roughly 9.5 million visits a year. There's only one National Forest in the system that gets more, and that's the White River National Forest in Colorado that gets around 13 million visits. The difference is White River National Forest is 2.3 million acres. They're hosting 9.5 million visits in a footprint of around 155,000 acres. You saw how they might be able to use reservation systems to flatten that curve, because they know that a lot of the visitation is in those peak periods at so many places across the National Forest in the basin. How do they disperse and more evenly put the people out on the landscape for an enjoyable time?

Some of the specific work that they are currently doing to address access is working on their trail's environmental assessment. This will align similarly to the basin wide trail strategy that's currently under development including public involvement. The Draft Environmental Assessment should be released in the fall or early winter with hopefully a decision soon thereafter. They need to have a comprehensive look at their trails and management. What has come in place in the last two to three years in an exponential growth. Currently the Forest Service policy on E-bikes is that it's left to local planning but otherwise E-bikes are considered motorized transportation and are not allowed on National Forest system trails until they've made a decision. They are playing catch up to that bus that's already a few miles down the road. Going through a public involved process that will hopefully start to better manage the uses of today, tomorrow, and fit neatly within a more comprehensive trail strategy that's currently being developed basin wide.

When they talk about visitation and stuff on the National Forest, they're also looking at instead of being reactive, shifting towards a more proactive mode. Their viewpoint is that the use on the National Forest is largely consumptive, and they want to shift it to largely participatory through the experience and action that the visitor has. The visitor could be out of area or in area, it's no one sector, it's complementary. It adds value to the individual having that experience as well as to the place that they are having it. Whereas, when it's consumptive, at best your value neutral, you didn't take more than you left. Unfortunately, oftentimes it's negative. They heard earlier in this presentation, where we are picking up after ourselves rather than could there be a program and a culture in the basin where there is no need to pick up after ourselves because we were good stewards wherever we were at in time, and it left the landscape in a healthier place. The marketing of the Destination Stewardship is the kind of messaging that he sees evolving out of these efforts.

They know that they can address overnight use fairly easy through reservation systems. They've had that in place for a long time with overnight use in Desolation Wilderness. They've set up through www.recreation.gov opportunities to make reservations for overnight use. They need to look at what are those day type uses because the use that they showed at Emerald Bay is 98 percent day use. Granted, those are access points and trail heads to the wilderness, so, there is some overnight use but very small compared to day use. How do they advanced systems and actions that allow them to better manage that day use? Whether it's somebody coming because it's 110 degrees in the valley, or that's where someone wants to spend their week, they have to look at what are those systems that can advance them?

They're in a perfect storm for a lot of good things because national efforts by the Forest Service, local efforts by partners and regional efforts here in Lake Tahoe are aligning at a time where money, staffing, and opportunities to meet the challenges are aligning quite well.

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(Presentation continued)

Ms. Self said the intent of why they wanted to bring this initiative forward and share what's going on in Destination Stewardship is to share a glimpse of the dialogue and the mindset happening around how do they better manage visitation and recreation use? As mentioned, it's this aligning of the local, state, and national dialogues that are happening.

In May 2022, there was a collaborative partnership of the Destination Marketing Organizations, land managers like the Forest Service, state agencies, and nonprofits that came together to launch this project of the Lake Tahoe Destination Stewardship Plan. The work that they're doing right now does build off of existing momentum and the dialogue that's happening elsewhere. It aims to look at how they scale up, how to identify new effective strategies that have not been tried yet, and again, how do they coordinate all these activities that are already happening either existing or new at this regional scale for Tahoe. Over the last few months their consultants which includes the Center for Responsible Travel, the Travel Foundation and others have led a very robust community engagement process to better understand visitation and recreational challenges as well as the community and visitor perspective. They completed a number of one-on-one interviews with key thought leaders, discussion groups with businesses and special interest groups. They've held public workshops in North and South Shores and engaged with the Washoe Tribe and Spanish speaking communities. They just had a very insightful and wonderful gathering of Washoe Tribal elders at Meeks Bay and got to hear their perspective of how to be a good steward for Tahoe. All this engagement is culminating in the development of the overall destination vision for Tahoe. The first of its kind for them and relatively new around the world. The Draft Plan will be developed in late fall and winter.

This work will have a collective set of values that combine different levels of initiatives, a one year and longer-term action plan to be implemented by a consortium of regional partners. An Environmental Improvement Program project list will likely come out of this work. A funding roadmap of how do they achieve this vision and a collaborative governance structure such as a council that they've seen in other destinations to oversee all the Destination Stewardship work.

They know that strategies and possible ideas coming out of this plan will be focused on encouraging the protection of the environment and will be at the heart of this plan. When she mentioned the robust community engagement that they did over the summer, and without a doubt they heard from visitors and residents alike that the environment and the health of the Lake is the number one important thing. We may see strategies such as reservation systems or stewardship campaigns, and a holistic approach of how they can better manage tourism and recreation use.

Other things that are top in mind throughout this planning process is protecting the unique sense of place that Tahoe offers. Front of mind is trash and litter, congestion, and the high risk of wildfire from careless behavior.

Between now and the end of the calendar year, the consultant team will be completing the community engagement. There's a resident survey that's going to hit the streets in October. They have public workshops planned at the North Tahoe Event Center and Lake Tahoe Community College on October 25th and 26th. There'll likely be a round table discussion with local business owners to dive a deeper into the economic impact for them followed by an all-day visioning session with their steering committee on November 10th. The draft of the plan is scheduled for December

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2022. Staff will be back for another presentation before this is finalized. Also, they're collaborating with the Tahoe Science Council to help them better establish monitoring system and metrics to measure success for visitation and access.

Slide 17 shows all the different agencies guiding this work. The partners listed on the slide are those that have invested their own funds, time, and energy to make this plan come to life and help guide it. This has truly been a collaborative process. There is engagement from executive and staff levels from all these organizations and they're seeing the relationship building and collaboration like never before, with all of these.

Board Comments & Questions

Ms. Conrad-Saydah said what resonated a lot with her was thinking about Destination Stewardship as also a way to educate people as they're acting as tourists, and really to change hearts and minds essentially through that type of visitation. Yesterday, she was speaking to Chris Anthony, Deputy Chief at Cal Fire who had a biking vacation to Whistler a couple weeks ago and spoke about the signage in Whistler, where it's a combination of first nation place names and then English place names. This signage alone had a massive impact on him and thought about how we could implement that in State Parks in California. Something as simple as that can really have an impact. He was able to engage with his children based on both signage and viewpoints. It may be interesting to follow up with him because he's coming from the perspective of managing forest too. It resonated with her as something that's highly potential on your way to Tahoe and then when you're in Tahoe. Coming along the Highway 50 or Interstate 80 corridor engaging with the communities that lived there before, and that still call these areas home, even as you're reaching your destination and then potentially learning a lot more once you reach your destination, could just improve a lot of different lives.

Mr. Bass said he's curious about the planning processes and if there's going to be a number that they get to, say 15 million visitors, that they realize is too much. Are they going to find metrics that say this is our capacity, and you know this is the amount of people we want in the basin at one time. Without that, he has a hard time seeing how to create, you know, they've hit this point and now they need to implement reservation system. So, they need to make a move because they've crossed the metrics that have been set.

Ms. Self said you're absolutely right. They now have this number of 15 million visits, and what is the impact of that. They're starting a work order with the Tahoe Science Council to dive a little bit deeper into that that number. Right now, that number includes service workers coming up to Tahoe, day trippers, and not just visitors and residents. The work order with the Tahoe Science Council is intended to dive deeper and expand their understanding of what is that, who is that, where are they going, and where are they coming from?

Ms. Regan said this conversation comes up virtually in every community round table. It's important also to recognize our role, and your role as policymakers in the basin and our link to land use and how land use can help guide some of those issues. Historically, the work that they've done to manage growth and development has a major positive effect in dispersal and managing that kind of pressure. It's a hot button issue, but what they're finding from this process they're learning so much more about how to arrive at a shared language around various statistics. Because what they know is that various entities count people differently such as visits, individual visitors, workforce,

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freight to and from on a US Federal highway. This process and this project is helping them arrive at shared language around visitation, what they can do to better plan, and then tying it back through the Science Council's work with the recreation threshold, which the Board will be taking a hard look at through the Threshold Update process in the coming years because they know that needs to be updated with best science.

Mr. Bass said it comes to mind for him with the Tourist Accommodation Units and the theory around the overnight visitor and limiting creating a capacity for overnight stays with the TAU. But they have seen the proliferation of VRBO and Airbnb, which has created the TAU theory to kind of go out the window. Is the right time to start reconsidering putting that back in place for our overnight capacity.

He's curious with the special use permits for ski resorts and Zephyr Cove snowmobiling and those kinds of things, are they going to work on the capacity for them. They saw Heavenly implement reservation systems which was through Covid. But it seems like that's a good way to get it out there that they've hit the capacity. It's Saturday, there's 20,000 people on the hill and they're not going to allow any more people. Is the Forest Service looking at making that part of the permit.

Mr. Walker, Forest Service, LTBMU said they introduced a reservation system in Desolation Wilderness because they have mandates under the Wilderness Act under the Forest Plan to manage elements such as solitude and resource protection measures. Therefore, in a sense they've set a quota or a carrying capacity for overnight use within the wilderness. They have not done that for day use, does it warrant that and is something they will need to look. More broadly, though carrying capacity on their landscape is usually as a reactive measure, of hey, they've got too much use on this trail, and fix the trail and upgrade it to meet the use. They also look at getting people dispersed out. At a forest level, they haven't looked at if the 9.5 million visits are too many or too little. This gets at when are those activities happening and how broadly they're spaced out so if we can get 9.5 million visits and get them spread out over time and space, where that experience is maintained. That is the thing that they need to assess, what is the experience that people want in their landscapes. Because he may say that the number is "X," because this is the experience, he would receive there but society may be okay being packed in together. That's fine, and they'll manage for what society wants.

They don't have in a sense a threshold or a carrying capacity because it's tough to figure out. As it relates to their special uses, right now, three of their resorts; Zephyr Cove, Meeks Bay, and Camp Richardson are under prospectus and are 20 to 30 year permits that they engage in with a successful applicant. He doesn't know what their total numbers are, but their revenues are generating millions of dollars of economic activity here in the Tahoe Basin. Those are up for review, and they'll be issuing new permits early next with those permits taking effect about this time next year. In that, they look to see what people in their perspective, what do they say they're going to do to manage that that experience. They don't say that in the permit directly, thou shalt only have so many people that visiting the resort. Because depending on how that is spread out, there could be periods where there is under use. The same would be with the ski area. Their resorts currently under the existing permits, and they envision in the future, those permittees and operations will determine what that use is based on visitation, working with the Forest Service, as well as reservation systems.

It's that overnight use that they could better manage. They are looking to extend the permit area

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boundary to include what was the old Dreyfus Estates, going up to the Zephyr Shoals area so that maybe they can manage a larger area of land for the use that's occurring, because everyone has probably seen all the cars that line up on Highway 50 there. As they develop their transportation plans and get these permits in place, they will be holistically working to manage the expectation that people have. The public wants "X" and as a public servant, they may not always be able to deliver on "X," but can they give them something as close to "X" as possible, and also "X" is a pretty broad continuum. They are looking at that, but what might seem a simple question, but as this presentation points out, there aren't any simple solutions to this.

Ms. Gustafson said Mr. Walker stated 9.5 million and we are saying 15 million visitors per year. Is the difference that you sub day use or residents travel in and out of the basin?

Ms. Regan said if you think about it, the amount of people going to public lands is nearly 10 million which is 80 percent. The Forest Service alone is nearly 80 percent watershed, add in State Parks and other state and local public recreation facilities would take it to roughly 15 million, which is a number that they are digging into.

Ms. Faustinos said they've been talking a lot about the visitor usage but she's assuming that the companion to that is to assess how that visitor usage is impacting their natural resources, habitat, and water clarity issues because there could be specific areas that might mandate reduced usage. Maybe that will come up in the thresholds discussion but wants to ensure that becomes part of this assessment of not only looking at the visitor experience, but how that visitor experiences are impacting their natural resources.

Ms. Aldean said the use of E-bikes on certain trails in the Tahoe Basin is semi controversial. It's come up a number of times since the advent of these bikes. She understands that the bikes have lithium-ion batteries and there's been instances of batteries that have been poorly maintained and started fires. What criteria is the Forest Service going to be using to determine what trails are suitable for E-bikes as opposed to bikes, horses, and foot traffic. She understands that these are public resources, and the public deserves to use them but as Ms. Faustinos just pointed out, there are some uses that may conflict with your obligation to protect the resource. How do they weigh and measure those apparent, conflicting obligations?

Mr. Walker, Forest Service, LTBMU said the environmental assessment process and public engagement is how they find that sweet spot. Because there's going to be some people that say no access to any and all. They try to find that sweet spot that hopefully serves the greatest good for the greatest number over the long haul, which has been their founding premise for this agency since it was founded in 1905. Using that public process, they are not going in this thinking that this is a zero-sum game, or all or nothing. There will be some trails that through this public involvement process that they will have the potential to open, he doesn't want to be pre-decisional because that decision hasn't been made yet. That decision will reside with him; however, they know it varies from Class 1 trails like the paved trail at Camp Richardson to some of the world-renowned mountain bike trails, such as Mr. Toads or the Flume Trail, etc. They have to coordinate with other agencies, especially those trails that cross multiple jurisdictions. Through this public involvement process, hopefully, they will identify the right suite of trails that can sustainably have that type of use on them.

He came from Wenatchee, Washington where he worked as the Deputy Forest Supervisor on the

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Okanogan-Wenatchee National Forest. In Wenatchee, Washington they had a 10-mile paved loop trail around the Columbia River with two legs that extended to make it about a 25-mile group trail which allows E-bikes. They have an aggressive public services ad campaign effort, signs everywhere, and speed limits. They quickly shifted to adapt to an emerging technology. As a user, he felt safe and felt respected and had a place to enjoy. They're needing to do similar stuff here in Lake Tahoe Basin across multi jurisdictions because it's not the E-bikes themselves that is a challenge on the landscape, it's how it's used. Etiquette and attitude, are all those things that he thinks we collectively, as leaders in the basin and partners need to ensure the activity is done in the manner that is harmonious with the landscape and the other users on there.

You hear about what's going on with Whistler Blackcomb with having first nation language signage which they're working with the Washoe Tribe on similar signage, but also signage about etiquette, etc., can they have that out there because E-bikes and E-transportation is here to stay and how do they catch up and proactively manage it collectively in the basin going forward?

Ms. Aldean said it's no easy task but when they were talking about excessive use of our natural resources, they do have PAOTs and it is something they'll be discussing when they review the recreational threshold, and it's her understanding they've exceeded that threshold. Technology is what it is. Everybody loves technology and advances in technology that makes their lives easier. By the same token, they shouldn't allow themselves to be driven by technology because at the end of the day, from her perspective, at least their primary obligation is to protect the resource. If they can't do that while at the same time accommodating "X" number of people, then they need to opt for resource protection so that future generations can enjoy what people today are enjoying or not enjoying, depending on the number of people they're sharing the experience with. There's no magic bullet and it is a very complex problem.

Mr. Lawrence said he's lived in northern Nevada for over 30 years. Transportation and Sustainable Recreation are certainly linked, and they struggle with that at Sand Harbor and the East Shore for sure. For this conversation, why don't they look at Park City or Muir Woods? Why do they compare themselves to Yosemite? The reality is there's nothing to compare to. He's not aware of anybody that has the same challenges that he has on the East Shore. They have a huge recreation demand and then there's the commuter world between South Shore and North Shore that calls him every summer, asking when he's going to do something about Sand Harbor. They are looking at a reservation system and at the same time they're struggling with environmental justice issues and people access. Reality is there's a large population in Nevada It doesn't have the luxury of planning weeks in advance and getting the reservation. They're juggling multiple jobs, have kids, and don't know when their free morning is going to be and that needs to be part of the equation. That's a strong push in California, and is getting to be a strong push in Nevada.

The struggle up here with the Destination Stewardship he feels the outreach to get the sentiment from visitors and the residents has been great, and we need to have that information. He hopes moving forward, they can be a little more strategic in our messaging in order to manage expectations, because they've already heard it a few times about carrying capacity. They have carrying capacity issues at Sand Harbor and they're managing it. Are there carrying capacity issues at Incline Village? It depends on who you talk to. He doesn't know if they can manage the amount of cars coming up from Reno to the college for classes. He doesn't know if they can manage the amount of people coming up here to work who can't afford to live here.

It's important if they're talking about carrying capacities and stewardships to talk about it in the context where they actually have control, and match it up with what they're doing regarding sustainable recreation. How do you set a carrying capacity on a highway that connects two state capitols. He doesn't want to create a situation where people are going to think that suddenly, they're limiting the entire amount of people coming through the basin, because there's so much traffic that's not stopping here and there's traffic that it might be recreating for a day on a trail but then goes into a restaurant at night. Then there's people like him that are coming up here for meetings, but he might also see a concert here in the South Shore which is then more of a night visitor. He's concerned that this goes down a path where they're creating expectations that can't be legally or practically met.

They need to keep talking about transportation in the context of sustainable recreation when they're talking about visitors, and there's so many numbers being thrown around that they'll need to start being more cautious on how they're using those numbers and what they are classifying as a visitor. He took the Destination Stewardship survey and he's a visitor today, but the survey didn't really work because it's going to ask him how much money he spent, and all that other stuff. This is a huge issue, it's tackling things, you know, courtesy and respect, lack thereof, the basin does not have a monopoly on, it's everywhere. They need to message properly; they need to say what they're going to be messaging about and be clear on our goals and what they want to do regarding carrying capacities and setting expectations of visitors. They have to be mindful that some of the folks that live in Reno that go hiking at Five Lakes Basin and meeting up with their friends from the city of South Lake Tahoe. It's actually the residents that are doing more vehicle miles traveled in the basin. It's very, very complicated, so let's not make it simple but they need to be very clear on the direction.

Mr. Hoenigman agreed that it's a complicated problem, and it's a big problem to solve. He's really encouraged by what he thinks are the efforts to reduce the impact of individual users, because they can to some extent and not to other extents control the number of users. He's a big user of Muir Woods and of Emerald Bay and he used to dread going to Muir Woods before the reservation system, because it was such a nightmare. He stressed about finding parking and all the people, and how far he had to walk, dropping off people, and getting stuck in the traffic. And that's the way he feels when he takes someone who hasn't been to Tahoe to Emerald Bay or Sand Harbor. You can handle people if you can decrease that individual impact. Muir Woods might not be the right example for us, but they'll find a way to make it work for them. The National Parks where he's been involved for a long time have done a lot.

Zion National Park removed all car traffic, and it was a fantastic experience to dump the car and have a nice bus system that took us around to all the different points. That might not be the right system here, but there are a lot of alternatives that provide a much better experience in the long run. But it does require some change and it requires some creativity. He's excited that they're thinking about what that right approach is for them. He's been to places. He recently went on a backpacking trip to Glacier National Park, and they had pit toilets. It was actually a really nice experience when you've been hiking, and he and his friends were comparing it to their experience at Lake Aloha, when they used to bring their little kids and there was toilet paper blowing in the wind everywhere which was a horrible experience! He doesn't know what's right but there are ways to solve the problems and allow a lot of people to use the resources without much impact. He looks forward to hearing what they come up with that will work in our area for our population and resources.

Ms. Hill agreed with much of what Mr. Lawrence had to say, and just ensuring that they're setting the expectations of our community. Regarding the slide that talks about the partnerships; the Reno Sparks Convention Authority is on that slide, and they had not been on that slide before. What's exciting about this collaboration is that it's bringing new people to the table to be aware of these issues and concerns, and how they can be a partner. Reno Tahoe Convention and Visitors Authority benefits greatly from the Tahoe images and marketing Tahoe is part of the brand. Ensuring that they are at the table to create that awareness of how they can have a better visitor, and how they can educate the visitors to ensure that they feel like a local and are doing the right things that locals do to preserve Lake Tahoe. That is an exciting part of this and bringing people together to ensure that everyone has the same messaging. Ensuring that they have the right expectations for the community, but also, the communication is really exciting and key. Thank you to the staff for their leadership on that.

Ms. Diss said this is great. She echoed some of what Mr. Lawrence said. As excited as she is, there's another side of her that gets worried about further limiting the experience of communities that have traditionally been excluded from the use of public lands for accessibility issues and just knowledge of and literal access to these great resources that they all have. She wants to ensure that whatever they're doing that they're considering the possibility of some of the steps they take may have unintended consequences and they need to try and manage those unintended consequences so that they don't have shift workers and others who don't have time to sit on their laptop and make a reservation. There are campgrounds in the United States that fill up within 2.5 minutes and that's only for people who have time to sit at their laptop at that time of day when it opens and that's not you know traditionally available to a lot of communities. She reiterated what Mr. Lawrence said and put her "me too" for reaching out to those diverse communities to make sure that they're including them in this conversation and how to bring them into use of public land while still protecting our natural resources.

Ms. Gustafson agreed with those comments, but also saying the opportunity to bring people to the outdoor recreation through, that may not have access to vehicles to drive up the mountain to get here and may need support with gas prices being what they are. They have great opportunity to manage better, help change behavior, and also maybe open doors that have been closed. She's mindful of that and thinks our staff are in the discussions they've had over the last couple of years. But thinking about it as everything is in public policy, you have both sides and how can they bring that together and make sure that they shape the right policy that addresses all those items.

(Presentation continued)

Ms. Regan said this is going to be one of the most impactful policy areas that you will be facing in the coming years and the key question is, how do you provide access for all and protect the resource? They have unprecedented involvement and engagement at the table, and they are actually building a new table. It's only going to be doing it in that fashion and they've been saying that as a group of the core team, Amy Berry of the Tahoe Fund coined that phrase of building a new table of how they're going to solve these challenges and folks are looking to them because they are unique. If they can make some headway, she feels they can inspire action for other areas as well.

Ms. Glickert said they've been talking a lot about collaboration and along those lines she'll kick off the Transportation update with sustainable funding, one of their foundational elements of Keeping

Tahoe Moving. Then she'll talk about a few plans they're updating that help the region accelerate implementation. Ms. Hill will talk about the great work in Washoe County, and the Tahoe Transportation District as their new chair. Then she'll wrap up with what they started with, which is innovative strategies to encourage positive change.

The 7-7-7 revenue strategy builds on 25 years of success with the funding model of the Lake Tahoe Environmental Improvement Program. The Bi-State partners have agreed to pursue a shared multi sector funding framework that meets federal, state, local, private partner, will seek \$7 million per year for each sector for high priority regionally significant transportation projects that have been endorsed by the by State updates on this initiative from the federal side. That includes additional funding awarded from Congressionally designated spending for State Route 28 for \$2 million. Tahoe transportation project partners are actively seeking funding from new infrastructure bills. Tahoe's Metropolitan Planning Organization formula allocation also increased by about \$2.8 million with the infrastructure bill. Locally, Placer County has endorsed the 7-7-7 framework via resolution, and the City of South Lake Tahoe is bringing a similar resolution forward next week. El Dorado County is seeking a sales tax increase to support transportation and Washoe County is considering support action by the County Board of Commissioners and has contributed additional funds to the microtransit on the North Shore and transportation planning in Incline Village. For the State of California, Budget request is in play with Budget Change proposal via TRPA Budget, and the Nevada Oversight Committee has advanced multiple transportation funding proposals during their work session. They endorsed a direct budget request for transportation and supporting authorization, authorizing additional Environmental Improvement Program bonding authority. TRPA and the MPO front, they'll be coordinating requests for federal and state funding and inducting our State and Congressional delegation as applications are put forth.

As part of that support, she just spoke of, staff is beginning initial steps to update the Lake Tahoe Regional Safety Strategy. That was created in 2019 with several stakeholders to identify opportunities to reduce the likelihood and risk of crashes on our Tahoe roads. The strategy supports the Regional Transportation Plan safety goal to increase safety and security for all users. This plan will continue to bring innovative sound strategies and identify infrastructure improvements with the implementation partners. The decision to update the Safety Strategy has been spurred by new transportation funding sources, Safe Streets and Roads for All established by the new infrastructure bill with about \$5 billion in appropriated funds over the next 5 years. Staff is seeking to update this strategy to meet Grant eligibility to help our partner organizations in the basin apply for implementation funds, and in turn that helps accelerate the Regional Transportation Plan and that safety goal. A component of the funding source is a commitment towards Vision Zero, the goal of zero roadway fatalities and serious injuries. Transportation staff is also partnering with the City of South Lake Tahoe on planning funds for this grant to complete a city Vision Zero Plan. New staff member, Ms. Shaw will be working to get this started this year.

The Active Transportation Plan for Tahoe, like the safety strategy are plans that provide innovative strategies and identify those improvements. These plans are often led by transportation staff under that MPO umbrella, and sometimes, in the case of the US 50 East Corridor the Board heard about last month. They may be on the steering committee, ensuring consistency with the Regional Plan and the Regional Transportation Plan. All those transportation plans and programs help the region implement the Regional Transportation Plan. As for the Active Transportation, biking, walking, other forms, all make up active transportation. The important methods of travel that promote healthy lifestyles, improve the air quality, boost the local economy, and enhance our environment,

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and community character. Active Transportation includes a method of travel that does not entirely rely on a car. This could be walking, biking, skateboarding, scooters, using public transit is a big one, and also driving to an intercept parking lot, and then taking transit or renting a bicycle. They want to continue to seek to increase Active Transportation through improved and expanded community driven bicycle and pedestrian networks in Tahoe. The next plan update will fold in new mobilities like scooters and E-bikes. Those weren't really as prevalent in 2018 when they did the last update so, they'll be folding a lot of that work in while working closely with the Forest Service. The scooter didn't exist, and now there's two companies in South Lake Tahoe. Those and the project list will be a part of that update as well as programs, new and future will be incorporated along with the performance measures. Updates give them an opportunity to include new strategies and also look forward. This Plan like the Safety Strategy will also continue to ensure our partner agencies are eligible for competitive Active Transportation Plan awards through the states.

(Presentation continued)

Ms. Hill gave a shout-out to Chair Gustafson; she was inspired by the Placer County Resort Triangle Transportation Plan that was presented to TRPA last year. This is what she needed to do for Washoe County, and in some ways, you know, constituents are like, oh, one more plan, just move on it but you can't plan for CIP and other investments unless you have a road to go down. She's excited about the Washoe Tahoe Transportation Plan that is underway in Washoe County. They are looking at State Route 28 in Incline Village and Crystal Bay and how to work with the Nevada Department of Transportation safer area for both vehicles, pedestrians, and bicycles. They are working on multimodal connections and specific intersections, potential roundabouts, signal timing, and pedestrian crossing opportunities. Making parking and bus stops more accessible and multi-use paths that connect to State Route 28, schools, trails, and parks. They have multi-use paths in Washoe County but they're not all connected, and this plan is helping them look at that. She's very excited for a Transportation Summit that will take place on November 16, 2022, 4:00 – 7:00 p.m. at the Parasol building. They've already had presentations and a lot of community outreach. They had an interactive map where people could pick a particular intersection, put a sticky note online and say whether it was safe or saw issues with it. The plan is very robust because of that, and as well as going to many community meetings both in person and virtually.

She gave a shout-out to the TRPA Governing Board members who are on the Tahoe Transportation District Board; Ms. Gustafson, Ms. Diss, Ms. Novasel, Mr. Rice, and alternate Mr. Bass who are doing some really exciting things at TTD. They are finishing their State Route 28 Corridor Project on the Nevada side. They're starting a project concept and site assessment for the maintenance facility in Douglas County. Caltrans just awarded them a grant to plan for Zero emission fleet conversion for the basins first electric buses which they've already started those and are in operations with more to come. This is from the leadership of the TTD Board. She thanked the California TTD Board members who helped them host a town hall with the California Transportation Commission and looking at multimodal solutions in the greater Tahoe area.

Another item that TTD is working on is the Mobility Hub in Incline Village. They've been able to purchase the old elementary school site on Southwood Boulevard, and as part of their grant, it allows them to look at site assessments to determine if this is the best site and get community input on what a mobility hub should be in Incline Village. Should it have parking, what kind of amenities, and also using the best data to ensure that they are programming the mobility hub for the needs of both Incline Village and Crystal Bay as well as the visitors ensuring that equal access to

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Tahoe. They had a great Mobility Hub committee meeting on Monday. They just chose HDR as their contractor if the TTD Board is amiable to move forward with that at their October meeting. The contractor will be collecting all that data doing that community outreach and finding alternative sites if the old elementary school site isn't the right and working with the community over the next year, to ensure that they are doing what is right for that Mobility Hub in that location. TTD is also engaging in a short-range plan which is their regulatory document that provides long-term service goal descriptions relevant to the Regional Transportation Plan and serves as a short-term plan, describing their steps towards a long-term plan for the next five years. The short-term plan from 2017 – 2021 just expired. This short-term range transit plan will wrap up in the first half of 2023 with their consultant, Stan Tech. This plan will be to set this vision and communicate the actions necessary over the next five years to ensure that they're fulfilling their transit goals. As TTD, they'll be using this update through a program implementation committee which is one of the newest committees that TTD has started to work with partners to integrate the interests of new operations of microtransit at the South Shore and North Shore, ensuring that the transit that is operating is not in conflict with our microtransit.

They have been working with the TART microtransit program on the North Shore since June of 2021, and that's with the leadership of Andy Chapman at the Travel North Tahoe who have put in close to \$500,000 since 2021 on this Transit Plan and have pulled together some incredible partners; the Reno Transit Commission (RTC), Tahoe Fund, League to Save Lake Tahoe have all come forward as well as the Hyatt to pull together funding for this program. This is operated by Downtowner, and Placer County who oversees this. Their total service area ridership through August the 25, 2022 in conjunction with Placer County and their microtransit program was 281,417 rides and Zone, 3 which is the Incline Village and Crystal Bay zone was 113,004 rides. They are 40 percent of the total ridership. They did some initial surveys to see of this ridership who is riding this and it's 70 or 75 percent locals who live in Incline Village and Crystal Bay. They are taking advantage of microtransit. It's really, their next phases and getting that word out to the visitors. This winter they will have a sponsorship by the Reno Sparks Convention Authority to operate this microtransit who have come on board as a partner who will also help with that outreach to the day visitors and to folks who are staying up in Incline Village and Crystal Bay about this incredible amenity.

(Presentation continued)

Ms. Glickert gave a shout-out to TRPA Transportation staff, Ms. Smith who is leading this transit program and coordinating with our partners on transit.

Lake Link is the new addition to transportation options on the South Shore, and that is the microtransit just like on the North Shore that Ms. Hill was speaking of. The microtransit was deployed this summer and they are working to keep it going through this winter. These services are being managed by the South Shore Transportation Management Association with a heavy public private partnership from 19 funding partners, they've raised \$600,000 for operations. The service has exceeded original expectations; ridership is averaging about 345 each day. New services like this and TART Connect on the North Shore are also implementing the 2020 Regional Transportation Plans. Those were identified in our future transit vision. While she can personally attest at the success on the South Shore, that free door to door service and integration with fixed route is important. She still rides the fixed route bus in the morning to ensure that she gets to the office on time but likes to take Lake Link home in the afternoon when services aren't as frequent over here on this side of town. Like any pilot, they're learning and keeping that program going. TRPA and

partners are conducting an annual survey on transit services missing from the systems starting next month with public workshops and around the lake. The funding for the survey is from the Tahoe Metropolitan Planning Organization planning budget and one of the ways they continue to support their transit agencies. Last but not least, here on transit is the City of South Lake's Mobility Service Study. This study started back in the spring to identify service gaps and vision for transit in the city. A visioning workshop this past summer and at the next City of South Lake Tahoe Council meeting will be recommendations to improve the transit network and feasibility of the city assuming transit services.

All of the work on improving transit services, providing different options for getting around are part of that bigger puzzle to get to success. Travel Demand Management (TDM) is the programmatic piece to the puzzle and Ms. Self, spoke a lot about behavior change and TDM is that foundation. Today, she's providing an update on Commute Tahoe Program, led by TRPA staff member, Ms. Cremeen. This program is a few years in now starting with the pilot, selecting a few employers, developing materials such as a program guide shown here on the screen that helps provide employers with the right tools to assess their own site amenities, consider some easy wins, and better understand the benefits of getting their employees to work with a car.

The image on the right side of slide 7, step 3 of the program guide includes TRPA staff member, Ms. Fink. While they know she's a great steward, they cannot talk about getting people to work without a car, if they're not addressing the other side of the equation, which is housing.

TRPA, Placer County, and the two Transportation Management Association's helped get that TDM pilot off the ground. Now, they're moving into that second phase which is a larger working group of employers from around the basin. This group will help them better understand the challenges they face and consider how we can support larger changes needed to get employees to work without a car. The employers have utilized the data portal they've created to conduct employee surveys and they're creating new materials to help them at their individual work sites as well.

Slide 8 is a report card soon to be part of that toolkit for employers. Results of the survey show that 49 percent of employees surveyed would consider leaving the car at home if they had an employer provided shuttle. One of the strategies they want to further explore is our shuttles. Data has shown that one third of the employees working in the Casino core are coming up from Carson City, and that those are great candidates for employee shuttles, especially given their various work schedules. Staff is going to be continuing outreach to employers. The working group is going to be meeting next month, so that they can grow the database and learn more about behavior and opportunities to provide transportation options and improve some existing ones.

Ms. Self will be back this winter with Destination Stewardship Plan. Today, Ms. Glickert is going to be speaking about Tahoe Transportation Performance, meeting their vehicle miles traveled targets and Regional Transportation Plan goals. This winter, the State Route 89 Trail Feasibility Study, and the US Highway 50 East Corridor Management Plan will be wrapping up as well. As for accelerating the Regional Transportation Plan implementation, she has another item today seeking the Board's approval of the Federal Transportation Implementation Program. The two plans, Safety and the Active Transportation Plan will be updated over the next 1.5 years, and it will also be utilizing the Commute Tahoe work she spoke of to consider possible updates to the Code of Ordinances.

They did receive a very late comment this morning that has been distributed by staff. The

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presentation did not address it; however, she'll follow up with the individual to discuss.

Board Comments & Questions

Mr. Lawrence said he appreciated hearing from the Tahoe Transportation District Chair, Commissioner Hill on what's happening with TTD. As a TRPA Board member, he knows the local representatives on the Board, there's a lot of crossover with TTD but as a state representative, he doesn't often get that. Huge kudos to those involved with the work both on the South Shore and the North Shore regarding the microtransit. That is important in moving people around and to helping manage capacity, and it's for locals, visitors, commuters, and recreationists. It seems to be one of those solutions that does get at a lot of the challenges that they're facing.

Mr. Bass said this is a very passionate subject for him. He joined the Tahoe Transportation District Board 3.5 years ago, and Lake Link has been amazing and what it's shown is the real need for dependable transit. The ridership numbers they're seeing are great, and it really shows that if they had dependable transit that ran past 8:00 p.m. at night that the workforce could depend on, they would see real ridership and reduction in vehicle miles traveled. He feels that they need to look at why are they seeing some of the issues that they are? As he's looked at that it seems that the TTD as a regional transportation district is made for a real purpose, which is to interconnect regional transit services to take on major capital improvement projects. But as far as to deliver the service of one of the Regions that it serves as a TTD Commission, it seems that it doesn't become the highest priority of the District, and that is just because it serves five counties, a city, and two states.

Trying to deliver a service to just two of those counties, and one of the cities should probably be done with a different model or a different agency which is complex because there is Douglas County, El Dorado, and the City of South Lake Tahoe. But there are models like the JPA with solid waste. They need to come together and that's kind of why the City put the resources into doing a study to look at is it feasible to look at a new service model to deliver transit on the South Shore? When they look at the North Shore, they have a model where the money goes straight from TTD to Placer County which operates TART under Public Works, and it seems to be that they're efficiently able to deliver the service model. He also sits on the board of the El Dorado County Transportation District who also doesn't operate transit, they have El Dorado Transit which is made up of Placerville and the areas that it serves.

He feels it's the right time, they've got the studies for them to look at South Shores transit moving into a board that is served by the agencies and municipalities that it serves and that way they are not sitting at a TTD Board meeting and talking about bus stops in Meyers and Commissioner Hill is thinking where in the world is that street in Meyers? Because that's far outside of her district so, it's just something that they're going to get to, and it will change and transform the way that people use transit on the South Shore. They have to have buses past 8:00 p.m., the workforce works until midnight and after. There needs to be better level of transit and since he's been on the Board, they went from 7.3 million in state and federal funds to 10.3 million, but they still don't have buses past 8:00 p.m. That points to the need for efficiency improvements and something that they need to work at and at the same time, they've had to have Heavenly, and Vail operate their own transit needs which is something that you know there willing to subsidize TTD for or a new service model. The time is now to make real moves for transit on the South Shore.

Public Comments & Questions

Bob, as a citizen of the public, said he appreciated Mr. Bass' logical thinking and explanation of everything that goes on. He feels half the time these meetings are kind of piloting through chaos. He is not a public speaker in any way, he's just a citizen making sure that the protection of the basin is upheld above everything. One problem that he does feel is an issue in South Lake Tahoe are some of the scooters. He's watched all these scooters ride up and down the sidewalks past the elderly people to where basically the other people fell down to the ground. These things are not supposed to be riding on sidewalks but that's all they do. These things are not supposed to have two people riding on one scooter. He sees families with kids and their backpacks. It's usage and maybe changing some of the ideas of how people use things but presenting them there. It's not going to stop and maybe end when a couple of people get killed on them. It's very unjustified to present these things to the city, now, they're just laid out everywhere. As Mr. Walker was talking about the garbage out in the Forest, do you guys have any comments on those things just being scattered throughout our city? Is that beautiful? Does that make our city look better? I don't think so, and the picture that's standing behind you here, there needs to be an addition to it, because there's going to be a huge cell tower right in the center of that hill. That beautiful spot right there is going to have a massive plastic, shedding with lead cell tower right on top of that hill. Thank you for all your service and your public engagement and protecting all of us.

Alan Miller, South Lake Tahoe resident and avid E-biker. He's responding to comments made about E-bikes causing fires. He doesn't really think that's much of a concern. The batteries are all enclosed and sealed. There's a lot of other worse fire threats to consider such as cell towers, for instance, which can fall down cause fires or start fires, or illegal camps sites. The fire danger has just gotten so extreme, the Caldor Fire last year was a real wake up call for that those of us who live here. He's all for anything that can be done to reduce fire threat but doesn't think E-bikes are the way. There is adequate assurance of etiquette and shared use even though E-bikes may have a top speed of 20 miles per hour, which doesn't mean everybody's racing around at that speed. It's just like in a car, you must maintain control.

Ben Lebovitz said really fantastic presentation, inspired by Mr. Walker and some of the work that you guys are doing, he thinks is needed. Parking garage facilities are needed, especially with the idea and option and threshold for reforesting the roofs. He thinks it's also a better place to sort of organize around having and mitigating some of the traffic concerns. He lives off Ski Run Boulevard and it's atrocious in the winter. He has to constantly help people that slip and slide and get into an accident. He knows that the scooters are also an issue up there. He housed an ER nurse for a season, and she said 50 percent of their intake were caused by the scooter accidents. These kids are riding yelling I'm going 30 miles an hour, with no helmet and wearing flip flops. The road conditions are horrible.

From that perspective, just to touch on what Bob had mentioned as well. He thinks the general consensus that he heard from the Governing Board was the care for the resources, you all mentioned the volunteers that that clean up the Lake went from 1,500 pounds of trash last year to 3,000 pounds this year. It's easy to pick up a plastic bottle, it's really difficult to pick up over 25,000 pounds of PVC material that looks like a pine needle that contaminates the soil and water quality. That's a huge number admitted by a company in a zero-discharge policy which we have in basin. He'd like them to reconsider the plans and whether we need towers to look like fake trees, he doesn't think so. Big Sky, Montana, none of their towers have monopines, that's Yellowstone. They should be looking to these other places that take better care of their resources.

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Zoe Segal said she lives off Needle Peak and Ski Run Boulevard would like to make comments on the atrocious cell phone tower that's being put up next to her home.

Ms. Gustafson said that agenda item is going to be heard this afternoon.

Zoe Segal said scooters are really fun but as a road biker, riding in the bike lane, she has scooters coming at her, from tourists that don't know the difference. It's clearly an issue for people who live here and hopefully, they can sort that out. She thinks with transportation and with cycling and scooters, the portion between Ski Run Boulevard, Nevada Beach, and Kahle Drive is horrific. She lives off the top of Ski Run Boulevard and loves to go to the beach and ride through town. She wants to ride her bike, but that section needs some TLC. The bike lane is very narrow compared to some of the other ones around town. You guys have all done a great job, or whoever's in charge of the bike lanes as they're expanding new sections through town and the forest is really amazing, but that's a really dangerous area. Especially when there's concerts or events, locals and in tourists want to get around and not have to park or create more traffic, so, if we could make a serious initiative to adjust that space and make it really smooth bike lane through mid-town all the way to the beach. Let's get outside and explore nature.

Doug Flaherty said although he enjoyed the Forest Service Representatives presentation, he was a bit concerned about his comment regarding the Forest Service policy, since 1908 for the greatest good for the greatest number of people, which is the route that TRPA seems to have been taken on many of their projects including transportation which adds human capacity. Having said that, he does appreciate anyone who is in support of microtransit or shuttles, they're great things and should have gone down that road ten years ago. He does want to tie in the overarching issue which some of you have heard this a little bit before in past committee meetings, but he wanted to go on record with the Governing Board with this information. According to the recent UC Davis State of the Lake Report, the Lake Tahoe Basin is in an environment free fall, out of equilibrium and harmony, as required by the Bi-State Compact. Through its malfeasance the TRPA has mismanaged its charge under the Bi-State Compact and failed to adequately monitor, measure, and provide substantial project cumulative impact data and analysis, since its 2012 Regional Plan Update to ensure equilibrium and harmony within the Tahoe Basin, and has failed its responsibilities to protect our cherished Lake Tahoe water clarity.

Cumulative impact is the impact on the environment which results from a tyranny of incremental impacts and small decisions when added to other past, present, and reasonably foreseeable future actions regardless of what agency or person undertakes such actions. Cumulative impacts result from individually minor but collectively significant actions taken over a period of time. The long-term failure on the part of the TRPA involves the use of a sham environmental checklist. This TRPA sham environmental checklist circumvents a process which would otherwise ensure that the Lake Tahoe Basin cumulating impacts are properly analyzed. Instead, the TRPA has been on a march of agenda driven, increased human capacity, increased growth, and relaxation of building regulations. Increased parking, and transportation construction projects, human capacity initiatives, including promotion of high-density growth without any real and adequate cumulative impact environmental assessment.

The Forest Service according to the UC Davis report, use of wildfire during actual wildfires, in other words, growing wildfires has become a main polluter of the Lake Tahoe Basin and water clarity

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creating increased algae.

Board Comments & Questions

Ms. Novasel said this is huge issue. El Dorado County especially understands the issue on the South Shore. Yes, they want to work with the City of South Lake Tahoe and Douglas County to move forward. El Dorado County did give some funding for the microtransit this year and are committed to helping where they can with impacts, not just from their neighbors, but from their tourists, in particular. They're using Transient Occupancy Taxes to come back into our communities to help on several levels. She appreciated the concerns because she feels them. She's a big bicyclist fan and loves E-bikes. There are E-bikes that are great and some that probably shouldn't be on our roads and is why in El Dorado County there's an ordinance that she helped put into place which allows for E-bikes that are not considered motorized vehicles. Those are E-bikes that go over a speed that they consider a safe speed on the bike trails and it's working. Along those lines, motorized vehicles include those scooters which they don't allow in the County. They believe in sustainable tourism and especially our transportation, but they do need to make sure they address it properly and it's safe for everybody.

Mr. Bass said in relation to the long-range transportation plan, which is rail, and he's brought it up many times with TTD but very much thinks that in their 25-year plan, they need to be looking at passenger rail into the South Shore, up and over Spooner Summit. They really need to be getting to the Nevada people that sit on this board a rail line that goes from Reno to Carson City that would have eventually interconnect. They're doing high speed rail and upgrades all throughout the country and you'll be able to go from San Francisco to Reno in two hours. With a proper high speed rail line to Carson City, and then up and over Spooner, they could get people from San Francisco to Tahoe in three hours in the next 25 years. When you look around the world and Alpine environments, rail is a critical way to get people here without a vehicle.

Presentation can be found at: [Agenda-Item-No.-VI.-Briefing-on-Transportation-and-Sustainable-Recreation-Initiative.pdf](#)

B. Transportation Advisory Committee Charter

TRPA staff Ms. Glickert provided the presentation.

Ms. Glickert said in April 2021, with the approval of the Regional Transportation Plan, TRPA Governing Board adopted a new Sustainable Communities Threshold Category and associated Vehicle Miles Traveled (VMT) per capita standard. Along with adoption of the new standard the Governing Board adopted a new goal in development and implementation priorities, with additional policies that include a suite of adaptive management actions to achieve and maintain the new Sustainable Communities Threshold Standard. Policies within the goal include convening a technical advisory committee to provide guidance on program modifications necessary to attain, maintain Sustainable Communities Threshold standard and included reporting requirements for the committee.

She'll provide a brief presentation on the contents of the charter, that's the first step. The membership that was approved in March 2022 by this Board, and then focus on the principles and tasks for the committee that are included in the charter.

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The membership is required to include local and regional transportation program members, so, they have included all the counties within the basin, the two Departments of transportation, the Tahoe Transportation District, the US Forest Service and the two Transportation Management Associations, the League to Save Lake Tahoe is representing the environmental community that was identified and Carole Black is the general public representative. The committee serves as a forum for a multi-disciplinary, multi-jurisdictional professionals and environmental agency stakeholders to build capacity, leverage partnerships and harness collaboration to guide transportation performance that will achieve all the Tahoe transportation goals.

There are three primary objectives of the charter. The objectives really are the work plan as well. The committee will be responsible for development of key metrics for Phase 1. That means reviewing all the data that they collect, what they need to collect, and what they don't need, measuring what matters. Second up for the committee is reporting framework, so, they're going to be helping them design that reporting framework that's required every two years for the VMT standard and the Regional Transportation Plan. Third, is evaluate and adjust. That means development of the management framework as they track their progress, what needs to change to ensure they're either get back on track or stay on track. An example could include not meeting their safety goals. Through Tahoe Metropolitan Planning Organization's role, they have a regional grant program, and they could prioritize funds for projects that approve safety through the review and scoring process for those grants. This something they do today with their Bi-State priority projects. This year is about doing this work to set up the framework for evaluation of VMT and the RTP goal achievement. In 2024, they'll prepare a performance report on the 2020 Regional Transportation Plan including the Vehicle Miles Traveled Standard that will inform the next RTP for 2025.

This past July, they held the Transportation Advisory Committee kick off and approved the charter at their second meeting to start discussions on transportation metrics and laying out the performance metric.

Today, staff is requesting approval of the charter and then they'll continue with the committee on those other two tasks to approve the metrics, and then dive into performance. Staff will be back to the Board in December or January to review everything with the Environmental Improvement, Transportation, and Public Outreach Committee, and seek Board approval.

Presentation: [Agenda Item No. VI.B Transportation Advisory Committee Charter](#)

Board Comments & Questions

Ms. Aldean said there's a reference to acronym TSC 1 but there's no definition. There may be a reference embedded as a link to the Regional Plan Amendments but suggested adding that to the Charter for folks who are not familiar with TSC 1 which is to reduce annual daily average VMT per capita by 6.8 percent. It might be advisable to include that as a footnote in the Charter.

Ms. Glickert said staff will add that.

Ms. Aldean referred to page 247, under Responsibilities, it talks about the Governing Board reviewing the recommendations, and if the Governing Board does not accept any of the report's recommendations, it shall provide a written justification explaining the basis for its adoption of alternative measures. In her experience, is customary to refer the matter back to the Agency or the

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department that has proposed the recommendations. She suggested they give the Transportation Performance Technical Advisory Committee Charter (TPTAC) the opportunity to perhaps amend the recommendation to comply with any comments received from the Governing Board rather than just arbitrarily having the Governing Board adopt alternative measures.

Possible language could read something to the effect, explaining the basis for its actions referring to the Governing Board, and may adopt other alternative measures. "If the Governing Board does not accept any of the report's recommendations, it shall provide a written justification explaining the basis for its actions, and may adopt alternative measures, or refer the rejected recommendation back to the TPTAC for revision." It gives them a little more latitude so, the Governing Board doesn't have to come up with an alternative measure but could provide feedback. It has the option of doing that but in most instances, they respect our technical advisories committees that they would probably refer it back for further consideration unless that becomes ungainly for meeting scheduling.

Mr. Marshall said as an option that would work. The language does come out of some of the regional planning language that they adopted to implement the thresholds. The phrase as an option would work, but not as a mandate.

Ms. Aldean referred to Paragraph 12, Review and Report Delivery, it states that members also commit to review reports and advance of meetings on progress made, discuss any progress changes that may be beneficial to the group and update the charter as needed. She suggested adding "For approval by the TRPA Governing Board." She's assuming, since the initial charter had to be approved by this Board, that any changes would also have to be approved by them.

Public Comments & Questions

Steve Teshara representing the South Shore Transportation Management Association on this committee and offered his support and thanks to a Ms. Aldean for her two comments and hopes those are incorporated in the motion.

Board Comments & Questions

Ms. Aldean made a motion to adopt Attachment A, Transportation Planning Technical Advisory Committee Charter subject to following amendments: On page 3 of the document, and 244 of the staff packet, under Paragraph 2, Goals and Objectives, the Board recommended that TSC 1 be defined with the respect to the reduction of VMT per capita by 6.8 percent and add whatever additional language is necessary to provide people with adequate information about this particular standard. On page 6 of the document under Paragraph C, Responsibilities, language was added to the end of that paragraph that gives the Board the option of either adopting alternative measures or referring the matter back to the committee for further consideration. On page 9 of the document, under Paragraph 12, Review and Report delivery, added to the last sentence the wording for approval by the TRPA Governing Board.

Ayes: Ms. Aldean, Mr. Anderson, Ms. Conrad-Saydah, Ms. Diss, Ms. Faustinos, Mr. Bass, Ms. Gustafson, Ms. Hill, Mr. Hoenigman, Mr. Lawrence, Ms. Novasel, Mr. Yeates

Absent: Mr. Rice, Ms. Williamson

Motion carried.

Mr. Yeates moved to adjourn as the TRPA and convene as the TMPO.

Motion carried.

VII. PLANNING MATTERS

A. Final 2023 Federal Transportation Improvement Program

TRPA staff Ms. Glickert provided the presentation.

Ms. Glickert said the FTIP is a core document of their Metropolitan Planning Organization role, and it's how the MPO administers and tracks Federal and State transportation funding. With transportation being a focus of this Board recently, and with new members, and the Transportation Initiative Update, they felt it was important to provide this to the full Board today. The FTIP must be updated every two years in conjunction with Caltrans, the Nevada Department of Transportation, local partners, and federal agencies. It must be consistent with the current Regional Transportation Plan as well as state and local plans. The FTIP is a near-term, four-year program of projects at various stages of implementation. They consider this a living document that does require amendments to be made after the approval of one and into the next. These projects are tracked and maintained through the Environmental Improvement Program Tracker database. Amendments will be coming forward over the next six months as they begin to program infrastructure bill funding for transit, which they've seen increases of about 800,000, and for funds through the MPO competitive Regional Grant program they're seeing increases of about \$2 million. The financial plan and the FTIP matches up revenues with specific projects. It includes past accomplishments and federal, state performance measures that demonstrate how the program of projects will help achieve the regions performance measure targets, such as safety and system preservation.

The FTIP was publicly noticed for a 30-day comment period per federal regulations and the TMPO Public Participation Plan on July 11, 2022. On August 3, 2022 a public hearing was held for public comment and on August 9, 2022 the public comment period closed. After the close of the comment period, the draft FTIP was finalized, incorporating all the public comments received and they made updates and revisions to the document. There's a complete comment matrix within the full FTIP document itself, and the link can be found on page 257 of the packet.

In response to public comment, they've updated project funding sources and years, funding amounts for revised project descriptions, and from their project partners that they received. They've also updated the Performance Measure Workbook in response to Caltrans comments.

The FTIP implements the short-range projects in the Regional Transportation Plan which they've been talking a lot about today. The FTIP includes regionally significant Bi-State action plan priorities, and will work towards achieving goals to improve safety, increase their connectivity, and preserve the environment.

On the right-hand side of slide 4, there is a full list of projects. The 19 projects programmed in the FTIP fall into five categories: Corridor and Communities; Transit; Highway Safety; Active Transportation Grouped Projects; and Operations and Maintenance. Within the categories are

grouped projects. This project map displays 26 individual projects for Tahoe. Of those 26, they have Active Transportation Projects for the North Shore and South Shore. Fanny Bridge replacement is one of those that's a Bi-State priority project in Tahoe City. Safety projects along US 50 on the South Shore, and State Route 28 Corridor improvements which is another Bi-State priority project. The FTIP also contains transit operations and capital for TART and TTD.

The final revenue program total is \$192 million. The draft released budget was increased by \$15 million in response to the comments received. Federal funds include the annual formula apportionments for the region. Two of the key sources are congestion management, and air quality often referred to as CMAC Program and Surface Transportation Block Grant. A recent Transportation Bill, Infrastructure Investment and Jobs Act has increased apportionment amounts and established two new programs. Two of the programs are the Carbon Reduction Program and Protect that will provide future funding. Tahoe received that \$2 million congressionally designated funding for State Route 28 Central Corridor Improvements which is the Sand Harbor to Spooner segment. The funds are programmed in this final document. Examples State funds include the California Transportation Development Act which is the largest source of transit operating funds for them. State funding and California Senate Bill 1 program. Local funds come from the city and county funding sources. Transit Occupancy Tax is a pretty common one on the North Shore, and mitigation fees, for example.

The final FTIP timeline is shown on slide 6. After the close of the comment period, the final FTIP was presented to the Tahoe Transportation Commission and was recommended for approval. If approved, they'll then submit to Caltrans and NDOT to get their final federal approval.

Presentation can be found at: [Agenda-Item-No.-VII.A-Final-2023-Federal-Transportation-Improvement-Program.pdf](#)

Board Comments & Questions

Mr. Yeates referred to the map on page 259 and was surprised by the "large blank" on the West Shore, and then he read the paragraph on page 252, where it states that the 2023 FTIP carries over work from the 2021 FTIP, what happened to the Emerald Bay Corridor Plan that he thought was approved. The fact that they're also doing the trail work.

Ms. Glickert said she believes it's the funding source. The trails plan should be in there and is the work currently being done and the Forest Service is providing those funds.

Mr. Yeates asked if it's part of the FTIP.

Mr. Haven said no, that's a planning study. These are more capital and operations projects. As projects are funded, those will then show up in the FTIP as funding is awarded. This FTIP is an accounting document of actual dollars that have been awarded to projects. It's real money in a four-year window.

Ms. Conrad-Saydah said a few of the public comments spoke about the Tahoe Mobility Hub in Washoe County. She asked about the development of that project through all these different committees and how those public comments have been incorporated to date, and where the friction still remains in terms of public feedback and concerns over that hub.

Mr. Haven said a lot of that detail lies with the project proponents, Tahoe Transportation District. It has a lot to do with Commissioner Hill's report out on all the work that is going on in Washoe County with the transportation study as well as the Mobility Hub. The question would best be answered by TTD for detail.

Ms. Gustafson said they also suggested that they'll be bringing back the recommended consultant, HDR for the Mobility Hub at their next meeting.

Ms. Glickert said they'll share the information about the next meeting.

Mr. Bass said the US 50 South Shore Community Revitalization is number one on the project list and knows there was money spent on that in the past four years, and is there a particular reason why it stays number one?

Ms. Glickert said there is no numbering system here.

Mr. Haven said it has funding currently programmed to it. Mr. Hasty, Tahoe Transportation District has reported that project is being reimagined. There are some Nevada elements that continue to advance and move forward, and that funding can be used for those elements. When the dust settles in terms of what the plan is for that comprehensive project, you may see some reshuffling of funding and that's these are living documents. Because there are projects that either change shape a little bit and need to get reprogrammed because they either cost less or cost more, and then there's the time, where projects are delayed, or projects that can be advanced. It's a very nimble process that they work closely with their partners on and will finally show up in amendments and other actions kind of where that dust settles in terms of how that project is going to can be delivered.

Mr. Bass said they have started to look at reimagining the project. As far as in the City of South Lake Tahoe, the alignment that was going to go through the Rocky Point neighborhood, as they know we're in a housing crisis and that's not going to work, however, their new public works director came up with an idea that was really creating a 20 percent mode shift, and if they were able to pull that off, it did show that they could use existing pavement to actually still get looped around and actually end up with a main street, but they would have to get a 20 percent mode shift, which is very difficult. However, with a parking structure at the Y and real transit services, they could absolutely reach that 20 percent mode shift. A parking structure at the Y is also the solution for Emerald Bay to have a park and ride and shut the parking lots down, and only bus people to Emerald Bay as they do in many other places, but they must have parking. It also creates the solution for Heavenly and Ski Run Boulevard in the wintertime. It's something that they need to really reimagine that project so, they don't waste so much public funds and actually get real benefit. When they look at the existing pavement and models across the State, US Highway 101 in San Francisco takes a hard right turn on Lombard and Van Ness, that is the precedent to show that they can do this and do it on existing pavement, save our housing stock, and get a solution for Emerald Bay, Ski Run, and all these things, and get real transit ridership. He'd like to see them keep that project happening but reimagine it.

His next comment is on the on the number two which is the Tahoe Transportation District Fleet and Administration facility. He brought this up at the TTD Board, and knows that they need a new

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facility, but putting it in Zephyr Cove when they're looking to electrify the fleet, has not had a lot of thought put into that, especially when 90 percent of the stops are in the City of South Lake Tahoe. The current facility at the Y could easily be reimagined. He knows that Mr. Hasty has said that the city doesn't have interest to make a swap, that's absolutely not true. They have another property that they could move their shop to, and completely make a trade to where, when they electrify the fleet, the fleet is actually close to the stops it serves rather than 20 minutes outside of the stop it serves. They need to put more thought to what they're putting public funds out to. He gets that there's a want with Douglas County to make a combination so that they can have multiple fleets and can help their fleet as well, but they've got to be practical in what they're doing.

Public Comments & Questions

Doug Flaherty said the East Shore projects represent the failure on the part of the TRPA to analyze not only the complete East Shore cumulative environmental impacts, but also those of the entire Lake Tahoe Basin. These projects will continue the environmental destruction of the East Shore. As an example, he'd encourage each of you to take a walk down the East Shore Trail, and take a look at the two or three cantilever bridges, you will note that there's a significant amount of erosion, it's a shocking amount of erosion that's taken place as a result of the grading to be put these bridges in and you can see the amount of algae that has been accumulated adjacent and below those bridges. These types of projects are well intentioned but you're simply not assessing the cumulative impacts of what you're about to do. Lastly, he would put a plug in for any further East Shore expansion of any trails that they be restricted to the east side of State Route 28. For those of you that have been down there during the summer, the Chimney Beach area, now, the East Shore itself is absolute catastrophe when it comes to human impact, human waste, dog waste, and trash in general. He requested that when you consider these projects, to please try to allow only construction on the east side of State Route 28. If you took a look at east side, State Route 28 East Shore Trail is very picturesque, you can still see portions of the Lake, and it is part of the forest experience.

Bob, Tahoe for Safe Tech said you guys have failed your duties. Lake Tahoe is turning into an algae bloom. He picked up algae off the beach, do any of you know how many species are now in the Lake? Mr. Marshall, do you have any idea? He counted at least six to seven new algae species in the Lake. He hates to say this, but you guys have failed your duties to protect this, Lake.

Board Comments & Questions

Mr. Lawrence made a motion to recommend TMPO Governing Board Adoption of Attachment A, Resolution 2022-__approving the 2023 Federal Transportation Improvement Program.

Ayes: Ms. Aldean, Mr. Anderson, Ms. Conrad-Saydah, Ms. Diss, Ms. Faustinos, Ms. Gustafson, Ms. Hill, Mr. Hoenigman, Mr. Lawrence, Ms. Novasel, Mr. Yeates

Nays: Mr. Bass

Absent: Mr. Rice, Ms. Williamson, Mr. Walker

Motion carried.

Mr. Yeates moved to adjourn as the TMPO and reconvene as the TRPA.

Motion carried.

VIII. APPEAL

- A. Appeal of Plan Revision ERSP2019-0389-01 Verizon Cell Tower, 1360 Ski Run Blvd., South Lake Tahoe, California, Assessor's Parcel Number 025-580-007; Appeal No. ADMIN2022-0036

Ms. Novasel said the Legal Committee met this morning and heard a staff presentation from Mr. Marshall, the appellant presentation from Mr. Miller, and permittee presentation from Verizon. After discussions, the committee voted unanimously to recommend that the Governing Board deny the appeal.

Mr. Marshall said the little red square on slide 3 shows the location of where the approved cell tower will be located.

Slide 4 is the overall site plan, and the tower will be located next to the existing parking lot in the lower portion of the picture.

Slide 5 is the approved cell tower, except the only difference here is this is what was applied for, the revision, which will zoom in on the lower part of the cell tower.

What they're here about today (slide 6) is change in the map foundation on the left and being extended down an additional 6 feet to what is drawn on the right. That is what Verizon came in for a plan revision for that dropping of the concrete mat foundation 6 feet. That application came in after the original application was granted and then appealed to this Board. That original application is now being litigated in the Eastern District Federal Court in California. The real issue for today has to do solely with the increase in excavation depth from 7.5 feet to 13.5 feet, and whether or not the application for that additional increase in excavation was appropriately granted. That's really the only question before the Board. You will hear comments about the cell tower RF emissions, microplastics, etc. but that already was decided by the Board in the prior hearings. All they have jurisdiction to look at today is the drop in elevation of the foundation. That was anticipated that they might need to come back in the original permit, which included a permit condition, as described in the staff report that allowed Verizon to come back in and apply for a plan revision to drop the excavation level and that's what has occurred.

There's really kind of two categories of issues that are addressed in the staff report; one is process, was the appropriate process followed, and then substantive whether or not there was actually any interference with groundwater.

Slide 7 is the drill log from the soils hydro report that was included within Verizon's application for the increased step. It is the same report that they used to get their initial excavation depth of 7.5 feet, and what it shows is there was no encountering of ground water with depth down to 19 feet. What they're really concerned about in this appeal with the excavation section of the Code of Ordinances is whether or not there's going to be interference with that groundwater flow that would otherwise flow to someplace else but would be concentrated here, and then you'd have to deal with the potential sediment load, etc. from that interception of groundwater, that's what they're really concerned about.

Slide 8: The original application allowed excavation to 7.5 feet, and those grounds were not appealed and while the permit is being litigated, Verizon has the ability to excavate to 7.5 feet.

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Once the appeal was filed, on the drop for another 6 feet, they also included a request for a stay which Verizon agreed to a stay that they would not pour concrete until after the appeal was heard today. In the meantime, they went ahead and commenced their excavation, in part because it allows us to look at the soil cut. They went down to 7.5 feet first, TRPA went with their soils consultant and found that there was no evidence of groundwater, either actual or evidence of redox or other indicators that would show the presence of groundwater. After about 7 feet or so, they hit bedrock and that kind of goes along with the boring in a slightly different location hit bedrock at about 19 feet.

Slide 9 shows the same excavation down to the level of 13.5 feet. Remember, they're talking about the deepest point which is this far southeastern corner of the of their pit. TRPA went back out again, looked at the site and basically the 6 feet was excavating through bedrock, and there was no evidence of groundwater. In that aspect, the permit revision was appropriately granted, because there was no either indication of interception groundwater in the first instance, and that was confirmed when they went down to 7.5 feet, which they had the right to do. And again, when they bottomed out at 13.5 feet.

Major arguments on process: This is a plan revision and for TRPA purposes, they look at a plan revision in relation to what was approved already in the original project, and there was a special use designation with that the original cell tower, and so went to the Hearings Officer, and then eventually appealed to the Board. For the plan revision because there was no impact and was just limited to that drop of 6 feet, there was no reference back to the special use finding. Under TRPA Code, the initial actor was staff and staff processed the application, which was received from Verizon, determined that it was supported by the already approved drill log and granted the plan revision. The appellants complained about a couple of things. The first one was that there was no additional initial environmental check list prepared for the plan revision application. Remember that the Board for the last tower approved on a checklist and that's the checklist that essentially for the project, and there was no basis to require a further checklist because of the finding that there was not going to be any interference with groundwater. Essentially the plan revision relies on that original environmental checklist, plus the finding of no significant impact. They complained about a lack of notice for the application. Notices are controlled by TRPA Rules of Procedure and again for excavations, there is no requirement to provide any prior notice, unless it's linked to some other element of the project that would require the public notice. When it was linked to the special use findings, they provided public notice and hearing. But in this case, it was not linked to any special requirement for public notice or hearing, so, under the Rules of Procedure, notice was not required. It was done at staff level without public notice.

The other key things that they heard at the Legal Committee was an argument that the cart was put before the horse here. That the amount of evidence that was presented by Verizon for the Plan revision and the interception of groundwater was not adequate to show there would be no groundwater interference. Staff reasonably relied on the boring site that they showed on an earlier slide. That's the basis upon which they made a determination that additional information was not necessary. Therefore, they issued what you saw in the staff report, the soils hydro findings that they were not going to interfere or intercept groundwater, but went on to say that even if it was interfered with, there was two exceptions. Those exceptions were for public safety, and to support the above ground structure. Staff can talk more about those things if necessary.

Mr. Miller registered Civil Engineer representing the appellants. To start, he doesn't agree with the

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voting procedure that was put forward in the staff report, he doesn't feel it's in accord with the Compact. Mr. Miller had a 25-year background with the California Regional Water Quality Control Board working as regulatory supervisor at Lake Tahoe and elsewhere. He has always considered himself a problem solver as well as a guardian of the basin. He felt he'd been brought here somehow to help do what he could to keep water quality pristine. He comes here as a former associate of TRPA and wants to see TRPA flourish and do the right things, but he sees that they are setting precedence here with this project for all the other monopines to come and some of those that they've already seen since this approval.

The problem is very simple, TRPA is not following the law. He doesn't agree with anything that the General Counsel said about what this hearing is about this morning. First, this hearing was rushed it didn't follow the rules, Mr. Marshall makes up the rules as he goes and pushed us early to a hearing against the law, so they are here in protest of that and that's just one example. The most simple thing here is a failure to follow permitting basics for excavation prior to approval. It's a new project application and the approval were done with no basis. There was no environmental evaluation done, it had been three years since the prior, that's improper. The law requires, as part of a complete application, that an environmental checklist be submitted by the applicant. The applicant failed to provide that, and the staff failed to call that out as a deficiency, and then moved ahead with no information whatsoever, saying, that they had what they needed even though he identified a number of potentially significant impacts. That basic requirement of law has been three years and there's no legal provision for a supplemental Initial Environmental Checklist. This is a form that the applicant fills out, then staff reviews, and then they make an environmental determination based on that. Either it's a Finding of No Significant Effect (FONSE) or it's an Environmental Assessment (EA), or an Environmental Impact Statement (EIS). That got skipped and went right for that approval, it's improper. If they hadn't done that and filled out the IEC since it was three years since their project was approved, we have a new project here and they have to fill it out in accordance with what's going on now.

There's a new city ordinance, for example, which has additional citing requirements to be considered. And the most egregious thing, is that they have now have new information about these towers shedding plastic and that was not included as a new impact that needed to be considered. That alone screams EIS. They saw this Board push past that with the appeal, totally improper in his view. That's why you're being sued. And if water quality declines, we all lose. He goes back to the words of Charles Goldman who came here in the 1950s and sounded the alarm that they've got a problem if they don't get on top of this it's game over, it's very short, maybe a decade. He's here to sound the alarm the same way, he's not Charles Goldman but he has a background and knows a little bit. He sees plastics everywhere in the environment here at Lake Tahoe, and he sees that TRPA has approved a lot of them in the water environment. There are all the docks, marinas, all the shores on facilities, all the stream environment zones filled with boardwalks. They're going to study the problem since you won't, and they'll bring you the evidence of the impact because the biggest problem that he sees here, is again going back to the faulty legal advice and the faulty scientific advice which is relying on the absence of evidence to say there's no impact when you don't bother to look at whatever evidence is there, you don't go and gather your own evidence, and you don't evaluate any evidence provided by the public, and so again there's no basis to provide a new FONSE which is the minimum that you need to act here. You need to step it up here and look into this microplastics issue. It was a wakeup call and he thinks they'll wake up one day, and you know what someday they're going to be looking through plastic debris on the surface of the Lake. It will be floating around there and we'll have our own little gyre, and there's going to be a lot of other

dissolved plastics, and they're all going to affect clarity. These are just his scientific speculations. Basically, what they have here is always a fall back to say, Oh, the absence of evidence is evidence of absence, and they have that when it comes to fire impacts, new plastics, wireless radio emissions, and it also applies to these groundwater requirements. From what he sees, TRPA requirement is actually the other way; you're supposed to show absence of groundwater that would be affected, and if not to design mitigations around that, none of this was done. TRPA didn't require a sufficient groundwater investigation, TRPA has abandoned that as far as he can tell with the telecoms because they've moved away from groundwater protection to just requiring a single bore hole from a Geotech. It's an engineering report, it's not a soils hydrology report and doesn't provide the information needed. It's data insufficient all the way down the line, and that's what they would have had to put in an IEC if they would have applied it. He doesn't know why you've abandoned science for Verizon. But you have to precede these impacts, this is a simple groundwater 101, you don't do the impact until you do the evaluation. In this case, they said they were just going to go out and do it afterwards, to him it was a moot point, it's about the process. TRPA is just violating all its requirements.

Slide 15: The requirement is that they have to have all reports and studies necessary to show compliance with the applicable provisions of the Compact, the Regional Plan, all the rest. This was another backstop to require proper soils and hydro report, besides the permit condition, 3F that TRPA ignored. There were no findings, no basis to issue this. There was no FONSE, which again is a simple form that has to be filed for a new project. No basis to consider safety factors either, no provisions for even snow and ice loading on this tower. He thinks the tower is unsafe, they haven't been given any assurance otherwise. Here's TRPA citing these dangerous facilities, with no environmental review whatsoever. And now this one with the toxic waste, following the faulty guidance of your General Counsel. You're approving these toxic emissions all over our basin under color of law, which I think is just the most egregious thing you could possibly do, and it ought to damage your reputation and if it doesn't, there's something very, very wrong.

The Lahontan Regional Water Quality Control Board has issued orders in California to the monopine facilities. They're out there doing their job to begin to start to clean up as best they may, the monopine messes that you have approved and continue to approve. He came to TRPA in good faith, offering the best advice, he could muster at the time when they were going through the permitting process and the appeal, and it was all just about shutting down any tractors, just about pushing this through the sausage mill, ends justify the means we do whatever we want, regardless of the law, we don't care about the law, we are TRPA. We're the bureaucrat, and we can twist the law however, we want. Your laws are complex enough that most people can't follow them anyway. He can follow your laws and can see that they're routinely being violated.

Slide 21: The coverage issues were again just an oversight in the rush to get permit out. Verizon sent its plans in and as designed exceeded the allowable coverage that you all decided was appropriate for the project. The staff didn't catch that, and they went ahead and approved the plans, anyway. If the project is built, it will be anywhere from 49 to 165 feet over covered, and that right there is enough to pull the plug on this project. It was the fall to Verizon for not verifying the plans, and it was the fault of the TRPA staff for not verifying before they stamped it that all the coverage was in limitations. Staff did not address these violations in any way in the staff report, and so, there's no evidence that there's any compliance here. They were allowed 736 square feet, depending on which, drawing you look at they may be up to 165 square feet over that. This is all about whether TRPA is going to follow the law and science to gather evidence to support their

positions, gather input to support the plastics discharges. This basin is going downhill in terms of water quality, and you don't know why. You have an absence of evidence. We have new conditions here, we have all the fire threats, why not do an EIS, uphold your mission, uphold the appeal. This is the time to begin.

Ms. Duarte, SAC Wireless on behalf of Verizon Wireless presenting their response to the appeal of 6 foot deeper excavation for its Ski Run Boulevard facility in South Lake Tahoe. The deeper excavation complies with TRPA regulations and the California Building Code, so they ask the Board to deny the appeal. They emphasize that this project will provide critical wireless coverage to the Heavenly Valley and Bijou Park areas, benefiting residents, visitors, and emergency personnel. Mr. Albritton with Mackenzie and Albritton, LLP who will further respond to the appeal.

Slide 25 is the application timeline for this project. In July 2019, a Geotechnical engineer with Terradyne Engineering prepared to report confirming that their on-site investigation found no evidence of groundwater to a depth of 19 feet at the project location. Also, that year Verizon Wireless filed its permit application with TRPA. In January 2020, the South Lake Tahoe City Council denied an appeal and approved a use permit for the facility. In May 2021, TRPA approved land coverage calculations for the existing site, and on October 2021, the TRPA Hearings Officer approved the permit. In February 2022, Verizon Wireless filed a building permit application with the City of South Lake Tahoe. In March 2022, the TRPA Board denied an appeal of its permit thereby granting final approval. In April 2022, Terradyne Engineering issued a supplemental report, confirming that increasing the excavation depth by 6 feet to 13.5 feet is feasible. On July 28, 2022, the City of South Lake Tahoe approved the building permit. On August 2, 2022, Verizon Wireless filed a request with TRPA to increase the excavation depth by 6 feet to 13.5 feet. TRPA staff approved the deeper excavation on August 5, 2022, and approved plan revisions reflecting the deeper excavation on August 17. On August 22, 2022, an opponent appealed staff's approval of deeper excavation and request to stay of all construction. Verizon Wireless responded to that stay request within 48 hours as required and on August 24, 2022, agreed to a compromise to stay point of concrete until today so the Board can hear the appeal. In the meantime, TRPA sent its soil scientists to the project site on September 1 and 14, 2022 to inspect the excavation to 13.5 feet, and she found no evidence of groundwater.

Slide 26: A condition of approval of the TRPA permit for the site initially allowed excavation to a depth of 7.6 providing that if the final design required deeper excavation that Verizon Wireless could apply for approval. After consulting with TRPA staff about the process, Verizon Wireless filed its request for 6-foot deeper excavation on August 2, 2022, consistent with the condition of approval. Staff approved the deeper excavation in a letter dated August 5, 2022. The minor 6-foot increase was reflected in the plans and approved and stamped by TRPA on August 17, 2022.

Slide 27: There are two factors relevant to the excavation depth. The California Building Code requirements are based on formulas and site conditions. slope, tower location, mat dimensions and soil properties. Also, geotechnical requirements specified that the mat foundation must be embedded a minimum of 5 feet below the existing grade elevation according to the report by Terradyne Engineering.

Slide 28: For these reasons, the excavation for the Tower foundation was increased by 6 feet to adapt of 13.5 feet. The California Building Code clearly requires increased depth, and the geotechnical recommendation required a slightly deeper excavation to ensure a safe tower design.

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Engineer, Amelia Valerie Hernandez is in attendance to answer any questions regarding the excavation.

Slide 29: When Verizon Wireless excavation reached a depth of 8 feet and hit bedrock on September 1, 2022, TRPA consulting scientist, Marcelle Munnecke, was on site to inspect, and determined that there was no evidence of groundwater. The excavation continued until it reached 13.5 feet, and September 14, Ms. Munnecke again inspected the site along with TRPA Senior Planner, Ms. Roll, who had approved the deeper excavation, and TRPA General Counsel, Mr. Marshall. Once again, there was no evidence of groundwater intrusion which is the appellant's main concern.

Slide 30: Verizon Wireless also asked Geotechnical engineers from Krazan and Associates to inspect the excavation area, and on September 20, 2022, Krazan issued a report stating that the inferred average groundwater elevation in the area is approximately 127 feet below the excavated area. Krazan concluded that there was no evidence of groundwater in the excavation, including any evidence of current seepage or dampness in the sidewalls of the excavation.

Slide 31: The appellant also raised the topic of vegetation management of the site. Best Management Practices (BMPs) are included in the approved plans which have been carefully followed by Verizon Wireless and are shown on pages 7 and 8 of its construction plan. These were implemented before construction started. Prior to construction, a TRPA inspector signed off on Verizon Wireless' BMPs allowing excavation to commence. Verizon Wireless has complied by following and maintaining the BMPs throughout construction. If the project were to fall out of compliance, TRPA would notify Verizon Wireless what measures would need to be addressed. As shown in the photos, Verizon Wireless took several vegetation protection measures, for example, trees were wrapped with orange construction fencing along the drip line as shown on the BMPs in the plans. Site fencing and hay rolls were placed to contain any debris.

Slide 32: Verizon Wireless also followed best management practices for disposal of material. Only large rock has been removed from the Tahoe Basin, as most of the excavated soil will be reused as filler after removal of any rocks over 6 inches. The photo in the lower right shows the sifting process with excavated material passing through equipment that separates larger, non-compactable items from usable soil. They emphasize that inspectors from both the City of South Lake Tahoe and TRPA regularly visit the site at each stage. Both have determined that Verizon Wireless construction practices comply with the regulations. SAC Wireless, Construction Manager, Jason Kidd is in attendance to answer any questions about the excavation and construction process to date.

To conclude, this project has been through an extensive approval process with the City of South Lake Tahoe, and TRPA has denied all previous appeal attempts by opponents. Three geotechnical investigators have found no evidence of groundwater in the excavation area, confirming that TRPA staff properly approved the deeper excavation. They asked the Board to deny the appeal and allow Verizon Wireless to complete construction of this critical communications infrastructure to benefit the community.

Mr. Albritton, outside council for Verizon Wireless said they believe that Mr. Miller here has elevated process and his interpretation of process over the actual evidence and substance of what's happening with respect to this particular application. They concur with the TRPA interpretation of

the process, and how it was followed. Verizon Wireless from the beginning, understood that this with no water at 19 feet and hitting bedrock that this was going to be a difficult foundation. And for that reason there's this condition of approval that was in the final approval that the Board granted in March that the elevation for the excavation would be reviewed before it was finalized in terms of putting in this mat foundation.

Mr. Miller speaks of no evidence but, there's quite a bit of evidence that he ignores that Ms. Duarte mentioned about three hydrological reports on this particular property, as well as the various other reports that have been provided. The evidence clearly shows that there's no evidence of groundwater intrusion, no perching, and no redox, no evidence of any kind of groundwater intrusion that would affect this excavation. The substance is that this is a well-designed mat foundation to support this facility. It takes a great deal of science between the soil's engineers, structural engineers and tower engineers to come up with this design, which they are implementing as carefully as they can with the BMPs. They hope that you see the evidence and the substance. They unfortunately believe that this was an effort to try and delay the project past your October meeting, which would have delayed our construction until next year, some, 7 or 8 months, and that they appreciate the cooperation in their compromise to defer, accept to stay with respect to pouring concrete until today and encourage the Board to deny the appeal.

Mr. Miller said Mr. Albritton characterized this as he's putting process over substance, and he would say no, he's putting process as part of the substantive requirement that you need to follow as an agency to approve any project, whether it's this project or any other one. Again, rushed us to hearing which was a disadvantage to them and that followed a postponement of the hearing for the Eisenstecken appeal. TRPA plays it however they want. If they want a hearing later, they get that, if they want it now, they do that. It's just an example of how things go here. He doesn't agree with the fact that they don't require an IEC, it's in the Code. There's no basis to excuse it, there was no basis in the staff report put forward, other than just it wasn't required when in fact, it was required by the law, but it wasn't asked for by TRPA staff. Again, they are looking for any way to look away from any impact and the impacts are there, we're going to show you and if you haven't heard them yet, no more monopines, and they're going to keep saying it until you hear it. And if it's not this project, it'll be the next or the next, until finally it catches up. The California Attorney General has gotten very interested in the plastics issue. He's going after the big plastic manufacturers, the fossil fuel industries who have hoisted this Earth destructive program of plastics manufacturing on us using subterfuge. The monopine industry is part of it., the PVCs have lead in them, they've tested it, they know. The Water Board has taken action and there's going to be a lot more information to come. This is the place to start If you just want to keep ignoring the laws on this project that's fine, he never recommends violating the law, it's not our job as agency people. It's not your job, you swore an oath to uphold the laws, and yet you don't even read the material, you don't question the staff; you just go along with whatever recommendations put forward. It's a recipe for disaster as far as he can tell. You don't care about coverage issues, you don't make the right findings, don't provide any backing for this excavation that you've allowed, because you don't even follow your own Code. You try to look to the earlier findings and say, that covers it all. No, it doesn't, not legally, and not scientifically. It's a long-term problem, microplastics are in Lake Tahoe. They don't know all the kinds, there's a lot more coming from what he's seen around the Tahoe Keys and marinas that he used to inspect. These things fall apart, PVC ages out, it's going to get in the water and the problem with Lake Tahoe is 600 years of residents' time. So, any plastic that goes in there is just going to keep accumulating just like the ocean, 600 years. It's not going to take very long at the rate they're going, because they've already got a lot of non-point source stuff that they

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can't control. They control the point sources that they can and this is an exact point source and is why the Water Board said this is coming from those towers and they need to control that. But you shouldn't be looking to the Water Board to do your job, you shouldn't be approving these things, so they have to go out and clean them up, as you have for the last 20 years after FONSE, after FONSE until finally as Mr. Flaherty said the cumulative effects are considerable, yet you don't even have a program looking forward as more and more towers are proposed. There seems to be an endless number, they always need more business, it's a profit-making industry. There's always another phone to you know serve there's always another computer that needs to download a movie. This facility isn't needed for public safety, he made that very clear in his comments. It's a very dangerous facility it was designed to class two standards, they cheaped out. This is a dangerous facility and it it's not going to be there in emergency. There's no basis to conclude that it will and again there's no basis to conclude that there's any excavation requirement whatsoever. There is the no legal requirement demonstrated. The California Building Code, and the International Building Code state you can't specify design standards. Any standard that meets the intent of the law can be approved, and they just proposed this, and they don't have any basis for it. They don't need to excavate.

Presentation can be found at: [Agenda-Item-No.-VIII.A-Appeal-of-Plan-Revision-Verizon-Cell-Tower-1.pdf](#)

Board Comments & Questions

Mr. Lawrence said he always find it amazing that two topics that seem disparate and unconnected actually become connected again. They were talking transportation issues earlier; they were talking about parking garages and things like that as a necessary fix. His recollection is that the original Regional Plan prohibited excavation beyond 5 feet, and then the basin found problems and solutions because of bedrock and things. And then there was an exception made for excavations greater than 5 feet, provided there is proper soils hydrologic studies. It allows for important garages to be added to residences, because they needed it for their safety and their convenience. It allows for public projects that they need, such as parking garages, and in this case, it applies to us the cell tower. Listening to the different testimony, he understands the exceptions for the excavation. He's a firm believer in being consistent whether it's a public facility, local government, private residence, or a business. During the testimony, he was getting the sense that somehow this soils hydrologic study was less than what we typically require but then hearing the Verizon folks saying, well, the original study was to 19 feet. They excavated to 6 or 7 feet, and then they came in for additional, but was within the 19 or 17 feet. Was what was requested for the soils hydro study consistent with what they asked from other applicants when they're looking for the exception beyond the 5 feet.

Ms. Cornell said her understanding is when a soils hydrology application is submitted, TRPA does ask for evidence that what groundwater would not be encountered for the depth of the excavation that is being requested. That is generally and most often demonstrated through a soils profile. As has been mentioned here, the original soil profile data that was presented three years ago was to a depth of 19 feet, even though at the time they were only requesting 7.5 feet. When the time came to re-look at the deeper excavation depth, they already had in the application materials from the original soils hydro application, the information that was needed to make the determination about the deeper excavation depth. To answer the question of what they submitted, consistent with anybody who submits a soils hydrology application? That answer is, yes. What they look for with the soils hydrology application is if there is evidence that groundwater would be encountered, is

there any evidence that groundwater has been up to that depth over whatever period of time would be reflected in the soils profile.

Mr. Bass asked if the soils test expire and are they still valid in that amount of time.

Mr. Marshall said no, that would be up to their professional staff as to whether there may be some change, soils don't change that quickly, but they determine whether or not that the age of the report somehow undercuts its conclusion but there was no finding like that in this case.

Mr. Bass asked if this was considered a new project with the August 5 permit revision. As he read some of the appeal it says that it's considered new when you go to revise it.

Mr. Marshall said this is a plan revision. It is not for a new project or a new application. It's an application for a plan revision. In that sense it is an application but you're not applying for a new project, they were applying for what they wanted to revise the permit that they already had. In this case it was to revise the permit to the maximum depth from 7.5 to 13.5 feet. That was the subject of the application.

Mr. Bass asked staff to address the coverage issue and expanded coverage from the 49 feet or what's being claimed that they've gone over what they originally granted.

Mr. Marshall said Ms. Cornell looked into that thinks it's Exhibit I, were Ms. Cornell's notes on that issue.

Ms. Cornell said when the question was raised a month or so ago, she went back through every perspective in the plans that they had, and she couldn't see this inconsistency in the land coverage. They would not be able to approve coverage beyond what it has already been verified there on site, just given the existing conditions on the site. To clarify, sometimes there's reference to allowable coverage, in this case they are referring back to what has been previously verified on site. They know that the site already, the existing conditions exceed the base allowable coverage. That they know is already being exceeded, so Verizon will be held to what has essentially already been grandfathered in on the site. She could not follow where the appellants representative was suggesting those inconsistencies were. Part of the confusion may have been that there's four different perspective shown on the elevation where the cut is. From one perspective it shows a slab at the ground surface but slab at the ground surface is actually the perspective where you see the equipment shelter on that side of the tower. If the equipment shelter is "here" and the tower is right next to it and you're looking at it from this perspective, you'll see the side view of the coverage from the other perspective. But that isn't the tower foundation. Maybe that was the confusion and looking at it from an elevation perspective from the four different perspectives that were shown.

Mr. Bass asked what would happen if they do find that they have exceeded the coverage of what they were granted.

Mr. Marshall said then they would have to remove coverage. Remember that they could do that on any part of the site, because they look at coverage on the site, not just this particular project. If they increased coverage by 25 square feet then they would have to remove it someplace on the parcel.

Mr. Bass asked staff to address the Environmental Impact Statement process that's being claimed, and why this would be an exemption, or why they didn't follow that.

Mr. Marshall said they're talking about permitting for the tower, and then the application for the revision of the maximum depth of excavation. For the tower which the appeal was heard and is final, staff prepared an Initial Environmental Checklist, and that Board made all the findings for the tower, including a depth to 7.5 feet excavation. That was done on an IEC with a finding of no significant effect. There was no finding that went further to say that they needed an EIS or EA. When it came to the plan revision and on the plan revision, all they're looking at is if there is any additional impact associated with dropping the maximum depth of excavation, 6 feet. There was nothing that staff saw that indicated there was going to be any impacts associated with that, because the record evidence showed that down to 19 feet there would be no encountering groundwater.

Mr. Bass said when it went through the original environmental review, did they take into consideration these the plastics and the things that were falling off or was that at a time when that wasn't happening.

Mr. Marshall said it was the eventual findings the Board made included conditions for the permit to use the best technology available to decrease or eliminate shedding. Then the inspection required twice annual inspection, plus cleanup. With those conditions the finding was that the tower would not have a significant environmental impact.

Mr. Bass asked if TRPA is right now underway with creating a basin wide plan for telecommunication towers that will direct where the best possible place for these is with environmental minded thought and not just allowing Verizon to decide where they should be.

Mr. Marshall said no.

Ms. Conrad-Saydah referred to Exhibit I where Ms. Cornell drew in these additional responses to explain the difference in coverage. She wanted to make sure that Mr. Miller had seen all of this as well to see if that cleared up any confusion or if there was any additional response to that. It definitely helped her in the review.

Mr. Miller said yes, he looked at the response that staff provided and the comment there said I don't understand where you got these numbers. And then further, it looked like she just deleted the foundation as coverage, and said, the foundation isn't coverage, but in fact, she said that the foundation isn't coverage, but if you look in the coverage table it says 304 square feet allocated for coverage. He doesn't believe he made any coverage calculation errors; he did this routinely for years, and he used to catch TRPA errors all the time. He commented on that in the appeal statement. This was not uncommon for him to send plans back to say you're all over the map here, you don't know what you're approving, it's overcovered, or it's not correct in some other way. It wasn't a big deal as long as it was caught in time. Here I caught it, your staff didn't provide any kind of response. His measurements were very carefully made from the scale drawings using a ruler. It's not rocket science.

Mr. Bass asked if this were to be approved, has Verizon looked at where you guys would move this

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tower to especially with the new city ordinance, and this tower definitely would not comply with their city ordinance. Has there been an analysis of where this would go if this were to be approved?

Mr. Albritton, outside counsel for Verizon said if it is approved, it will be placed where it's been proposed. If it were denied, they would have a prohibition of service situation with respect to the city's current code, which doesn't allow facilities within 200 feet of a residential property line. They would have an impossible situation for them to provide the kind of coverage they need. The South Lake Tahoe area has excess demand, and their network is currently unable to serve the area during high capacity. It's mostly providing service by Harrah's antennas on top of their building and is desperately needed to fill in capacity requirements for that area. They would likely have to challenge the ordinance in order to fulfill the coverage and capacity gap that we need to fill.

Mr. Bass said the capacity issues really relate to the connection to the towers, the fiber optic connections, and the fact that they don't have proper capacity in our fiber network and that's why when they have huge influxes in tourism, it's not that they don't have a cell service signal but rather can't get through to the call which has nothing to do the cell tower. It has to do with the fiber connection to the cell tower, is that not accurate?

Mr. Albritton, outside counsel for Verizon said this is unrelated to the excavation, may he answer the question?

Ms. Gustafson said yes.

Mr. Albritton, outside counsel for Verizon said the data that they submitted to South Lake Tahoe, showed TTI occupancy, and that's the number of phones that the network is able to address as well as the downlink speed. This is also the correlation of the maxing out of the available spectrum of the phones that can be served at one time, which also led to a decrease in the throughput to below standard levels at the same time. This is all information that is gained through the switch, real-time data, showing that the antennas themselves, and providing signal to the number of devices that are requesting is overloaded. The fiber end of that has no relationship between the capacity requirements. They do have sufficient fiber but there are problems when the fiber goes out in and that does happen in in the area. They do have the ability to overcome that using microwave antennas to connect their network but they're not the fiber company, and certainly, encourage any improvement to the fiber network.

Ms. Gustafson asked staff if they wanted to address the rush to hearing comment.

Mr. Marshall said TRPA Rules of Procedure govern appeals. There's a distinct section discussed in the staff report that when you have a stay request, one of the considerations that the chair undertakes is what is the harm for any stay to get you to the next scheduled hearing date, which would be the next Board meeting. There is a rule that, if you want a hearing at a certain date, you have to submit your statement of appeal "X" number of days before the Board meeting. That doesn't give you any sort of right to a particular board meeting. If you're asking for a stay and particularly where there is a partial stay in place, is that they go to the next scheduled Board meeting. It's not any different than any other situation where there's a stay, unless the parties agree that they want to extend the consideration date, but here Verizon did not agree to that.

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Bob apologized for any rudeness, unkindness, or aggressiveness, but his passion sometimes takes over. First, Mr. Marshall is not a very good lawyer. The depths of the foundation from the beginning, the core hole to 19 feet, if they're planning on going 5 feet why would they dig to 19? Can any of you ask that question? The plan in the very beginning was always to go that deep. They knew that they couldn't do a pier foundation because they would hit the groundwater because the stream environment zone is right there. They've kept it really hidden from everybody from the beginning that this is directly within the Bijou Creek Water zone. It's a stream environment zone, it's all protected, yet they wash right over it, and you guys gave the green lights. All of you need to ask the question, are you okay with polluting the drinking water for 12 million people? It seems that you guys are because it's been going on for 20 years. They just brought this to your attention. This piece fell off in Meyers and came within a foot of where the firemen lay their hoses out. He took the materials and sent it to a lab and the lab said that it contains lead. Mr. Albritton just came to him and said it's plastic. Lead is metal. Ms. Cornell's needs to go back to math class. Microplastics is the new lead. It's in our Lake, in our bodies, it's everywhere. You guys have the ability to stop it right now, and push this back to an appeal. They've stated in the very beginning, the permit expired, Verizon is running on an expired permit from the city. It was null and void after one year. They said that a letter from somebody on TRPA staff states that the movement is still going, that doesn't pass muster. You can't just send a statement, say no they did not exercise, they failed. Mr. Albritton failed, Mr. Marshall failed, Ms. Cornell failed, and all of the staff failed. Ms. Novasel failed. This is a chance to turn it around and let this game play out correctly. It's in Federal Court, he contacted the FCC's top citing attorney, she said, oh yes, an environmental impact statement, a complete report is required. She quit the FCC from this and now works for the National Resource Defense Council. You guys have been wrong from the beginning, Mr. Marshall and Ms. Regan and all of you guys are basically buying it up, just lapping it up like it's Kool-Aid.

Melina Wallisch said she and her husband are raising their kids here in South Lake Tahoe. She's speaking on behalf of the over 5,000 signatures that they collected from their community members that opposed the installation of this tower. In addition to violating the law, the TRPA has failed to listen to the people. They've ignored important studies and discounted expert advice, and has it applied inconsistent reasoning and finding that the tower at Ski Run does not pose any reasonable risk to man or the environment. There's a giant hole there and of course, it's going to affect the groundwater. It's right next to a stream environmental zone where an endangered frog lives, and she's brought this up before, and nobody seems to want to talk about that. It's also in direct violation of our city ordinance as Mr. Bass mentioned. It's not critical, she lives on Ski Run, owns a business, she streams videos, her kids do Zoom, and they've never had an issue with connection. There are already three towers on Ski Run, so there's no connection issue and there's never been one. This exception for Verizon/Plan revision/illegal excavation was not approved by the city. So, if it doesn't affect the groundwater then prove it because you guys have just sent your soil scientists to say that there isn't. Also, she got a little hurt that you called them complainers because they're just concerned citizens expressing their concern and feels like that's what they've always been looked like to you is complainers. She's spoken at plenty of these meetings, including the one this morning. People that we're born and raised here are fleeing their homes because of this tower and so are the animals. I hope that you listen and please for once do the right thing and uphold the appeal.

Ben Lebovitz said Mr. Marshall and your counsel would like you to believe that you were doing the correct methodology from the get go. That you've looked at all of the evidence prior, all of the

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reports prior, and you're entrusting fully in the applicant to be honest and trustworthy. When they say that this is the best position for the tower to be successful, they have a genuine interest in its placement there, from a monetary perspective and from the Verizon retail store down the street. He's sure if this appeal were upheld, they would find another location, it wouldn't be a problem.

The other aspect of this is that the assumption that anything mentioned other than excavation is unwarranted, it absolutely is warranted in particular this is the first time that they've ever listed the amount of faux material that they would put on it to help it pass scenic degradation issues. That number is 10,000 pounds of lead-based plastic and fiberglass material that needs to be accounted for. They deplete every five years. In your trust, and total faith in the group here, they hired a special photo simulation expert, they cut down 40 some trees, he doesn't think that's policy. He has five neighbors that have been trying to build a garage, that can't and have dirt access. So that comment about the garage and the foundation seems a little odd to him. The biggest thing in his mind is that there is no way this 112-foot tower will live below the tree line and when he told the job foreman at the site, he started laughing and said yeah, maybe if they grow 30 years, by the time we get done. That's how it unscrupulous it is, and he'd, implore you before you approve this this site go visit the site itself. Have any of you walked there and seen how close it is to the other homes, we're talking 200 feet, it's in violation of that. There's a condominium with hundreds of people living there. They're asking you to do the right thing for once.

Zoe Segal lives on Needle Peak and Ski Run Boulevard across from Hansen's Resort site of the soon to be cell phone tower. She feels like she lives closer than 200 feet. She agreed with previous commenters and just asking you all to as the TRPA experiencing your strength, your power in this community, what you can do, and what you have access to say no to. She's been trying to rebuild/remodel their home. It seems as though you have the community's best interest at heart. She assumes you all live here, or close by. You do have a tremendous amount of power and yes, maybe this is an appeal to the specific excavation, was this the right process, all of that? But also, they are members of this community and can say what goes and what doesn't go. When a corporation gets to come in and decide to put a huge cell phone tower right next to people's homes in the eyesight where we have tons and tons of tourism, and also people who are building a community and raising children. There's the water shed that she lives across the street from. It is absolutely way too close to that water shed, you can't even build a house on the corner of Ski Run and Needle Peak. This is just kind of ridiculous that they're still talking about this. There is so much space that is far away from people's homes and would be less impactful. Everybody will get the cell phone service they need. Verizon has no problem, T-Mobile and other cell phone providers do have a real problem. The only place that you don't get cell phone reception is at the top of Heavenly, and this is not going to help that. Why don't we put it on their property? Hope you can do the right thing and listen to all the evidence and make a decision, flex your power, you have it.

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Ms. Gustafson said in addition to those of you who spoke today, the Governing Board has received many, many, many emails and have continued to get comments throughout this meeting. They do read those and take those into consideration.

Ms. Aldean said it appears that they're rapidly approaching or maybe exceeded certain level of community fatigue with regard to cell phone towers. She thinks that Mr. Bass' question about a master plan is a reasonable question to ask. How many more are going to be needed logically to

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provide the service that everyone seems to demand? This has nothing to do with the action proposed today but developing one going forward. They have to abide the constraints of the action that they are being asked to take today which has to do with the depth of the foundation and not with these ancillary issues.

There was a question raised about mandatory setbacks. Is a cell tower less than the required setback for facilities of this nature?

Mr. Marshall said there's two things that you may be hearing. For the City's ordinance preferred area is an area where it's outside 200 feet of adjacent to a residence. That was passed after the City approval.

Ms. Aldean said obviously they are not here to enforce City Code requirements.

Mr. Marshall said if you're talking about the side setbacks from the lot, he'll ask Ms. Cornell to speak to that.

Ms. Aldean said no, she's talking about if TRPA Code contains any required setbacks from these facilities.

Mr. Marshall said no.

Ms. Aldean said she participated in the discussion at the Legal Committee meeting earlier this morning, and the one thing that she had to focus on as a member of this Board was not only to comply with the action that they are contemplating taking today either to uphold the appeal or to deny the appeal. There are multiple concerns about microplastics and a variety of other issues related to electromagnetic radiation. One of the concerns seems to be the safety of these facilities and will this giant tower fail one day and fall. To her, deepening the foundation is a guarantee against that, potentially. In her deliberations earlier today, that was her primary focus. Was there anything associated with deepening this foundation which would make this facility less safe? Her conclusion was that there is not. Deepening it by an additional 6 feet in her estimation, makes the facility safer, in terms of protecting the general public and the people who live within close proximity.

Ms. Conrad-Saydah said it's great to see everyone involved weighing in on this. In this discussion earlier this year, they did bring up a lot of these concerns, and thinking about a broader view. She echoed what Ms. Aldean was saying about looking at this in a broader view and to Mr. Bass' question as well. She doesn't know that they necessarily need to establish a cell tower plan, but does think they need to have a workshop or deeper discussion on the trade-offs that they make in making these decisions. Whether it's the monopole, versus scenic trade-offs, versus waste in the Lake. and having a deeper discussion about those trade-offs because that came up again in March and is obviously not what's before them today, but it is going to continually come up. She's not suggesting that they map out the cell tower needs in the entire basin but am suggesting that they have an open discussion and dialogue about residents, needs and residents' concerns over development of this type.

Mr. Bass said he disagrees. He thinks that as the land use authority that was given Congressional authority to protect Lake Tahoe, they absolutely have a duty to lay out a plan for

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telecommunications facilities in the basin the same way that they do in a national park. They need to take that authority that they hold and make that happen. The FCC has passed a very egregious law that takes local control away from local governments to do that, to tell them where they would like these. They have a 60-day shot clock when they receive an application from Verizon to make a decision on possible approval. He believes this Board has the authority with Congressional authority to go back and say we are Lake Tahoe, and we are going to make a demanded map of where cell towers can be, and they must co-locate on these cell towers because they all want cell tower service. He's not speaking against that they don't want good cell tower and cell phone service and Lake Tahoe but they need a plan. If they don't, you have to realize in a capitalistic society with four major telecommunication companies, they're going to all have their own towers. Why would they pay rent to each other, or to a somebody that owns a tower unless they're forced to, they're going to build their own. So, instead of having 30 towers at the Lake, there will be 120, every one of them will have their own tower. It's just economics and how capitalistic Boards work. They are the Governing Board and regulative authority to protect Lake Tahoe, they must stand up against this. When they were founded in 1980, it was about regulating local government, and this time it's about helping our local governments not have to keep dealing with telecommunication companies that are going to continue to basically go against any plan that they would try to put forward. The City has just passed an ordinance, saying that they don't want these within 200 feet of our residents because they have diesel generators with emissions that are unhealthy to be breathing. Mr. Albritton just got up here and told him that he would challenge that ordinance. That's what this TRPA Governing Board needs to take a look at. That is wrong, they have the authority to stop that, and they need to take that step

Ms. Novasel made a motion to grant the appeal.

Nays: Ms. Aldean, Mr. Anderson, Ms. Conrad-Saydah, Ms. Diss, Ms. Faustinos, Ms. Gustafson, Ms. Hill, Mr. Hoenigman, Mr. Lawrence, Ms. Novasel, Mr. Yeates

Ayes: Mr. Bass

Absent: Mr. Rice, Ms. Williamson

Motion failed.

Ms. Gustafson thanked the public that was here. She knows that+ our processes and all local government and bi-state government processes have legal requirements that are not what you're here to talk about today, you're here to talk about the larger issues and she completely understand that. She believes that all the members of the Board greatly appreciate your comments and thoughts on this, and they look forward to working with you in the future

IX. REPORTS

A. Executive Director Status Report

Mr. Hester said the Tahoe In Brief – Governing Board Monthly Report is in the packet. Please let staff know if you would like to see any changes.

Staff is working on the 30/120 report that will be included hopefully starting in October. Staff is a transition to moving to the Accela and changing the processes that Mr. Stockham presented to the

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Board.

Please check your calendar for a two-day meeting in October. It's anticipated that the Executive Director interviews will be held on October 27. Staff is also going to agenize for Wednesday, November 2, should the Board not be able to reach a decision on October 27.

They are almost ready to open the newly remodeled lobby. They've changed the physical setup; they've changed it to work hand in hand with going online and people being able to use the technology when they get here. It will be a much nicer experience for the customers. The new receptionist position will be under Ms. Regan.

- 1) Tahoe In Brief – Governing Board Monthly Report

B. General Counsel Status Report

Mr. Marshall said the reference to litigation at the appeal was brought by Ms. Eisenstecken and various groups on the approval of this this cell tower plus some larger claims under the ADA Fair Housing Act.

The petitioners filed a third amended complaint, they moved to dismiss as well as Verizon, and the City of South Lake Tahoe. They're finishing the briefing on that this week or next week. Given the recent with the Eastern District Court in Sacramento, it will probably take a year to get a decision on whether or not all the issues as articulated in the complaint will go forward or will either portions or all of the complaint between dismissed.

Mr. Hicks asked if the Court entered any type of injunctive relief against Verizon from proceeding past this point after they pour the cement.

Mr. Marshall said no injunctive relief has been requested by the plaintiffs, and so none has been considered.

X. GOVERNING BOARD MEMBER REPORTS

Mr. Bass asked about a future agenda item relating to wireless telecommunication planning and how that process would start. Maybe it's an Ad Hoc committee. That is something that they need to explore.

XI. COMMITTEE REPORTS

A. Local Government & Housing Committee

Ms. Novasel said the committee will be meeting immediately after the Governing Board meeting.

B. Legal Committee

No report.

C. Operations & Governance Committee

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No report.

D. Environmental Improvement, Transportation, & Public Outreach Committee

No report.

E. Forest Health and Wildfire Committee

Mr. Hicks said they'll be meeting in November, and they'll have a number of presentations at that time with some from fire personal.

Ms. Gustafson said she was down at the fire quite a bit and SPI had about 15,000 to 18,000 acres of timberlands in Placer County in the path of the fire and did lose some of it. She was talking to one of the lead folks about some of what they're able to do now on a 100 percent slopes with equipment. It's very interesting technology that the contractors have.

Mr. Hicks said they changed their procedure in the past couple of months. That is one of the good points of advancing technology.

F. Regional Plan Implementation Committee

No report.

G. Ad Hoc Executive Director Search Committee

Ms. Aldean said the committee will meet at the conclusion of the Local Government and Housing Committee.

XII. PUBLIC INTEREST COMMENTS

None.

XIII. ADJOURNMENT

Ms. Novasel moved to adjourn.

Chair Ms. Gustafson adjourned the meeting at 3:25 p.m.

Respectfully Submitted,



Marja Ambler
Clerk to the Board

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



STAFF REPORT

Date: November 9, 2022

To: TRPA Governing Board

From: TRPA Staff

Subject: October Financial Statements, Fiscal Year 2023

Summary and Staff Recommendation:

We are four months, or 33% 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 October Financial Statements for Fiscal Year 2022.

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 October 2022 Financial Statements

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

Background:

The first four months (33%) of the fiscal year are now complete. Revenues are at 49% of the annual budget, and expenditures at 24% of budget. Revenues are high because we have billed both states for their contributions and Planning Fees remain high.

YTD Revenues and Expenses

Revenues are at 49% of 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 or exceeding prior years. This includes Current Planning fees, AIS fees, and Shoreline fees. Current Planning Fees are at a record level, higher than the prior 4 years and at 37% of budget. Project applications continue to run at an elevated level. AIS fees are at 41%. Shoreline fees are at 8% of budget. Most Shoreline fees come in during the fourth quarter of the fiscal year.

Expenditures are at 24% of budget. Compensation expenses are at 28% of the annual budget, consistent with the timing of payrolls and vacancies. Contract expenses are running behind at 19% due to normal lags in payment cycles. Our debt service payments are twice a year, in December and June.

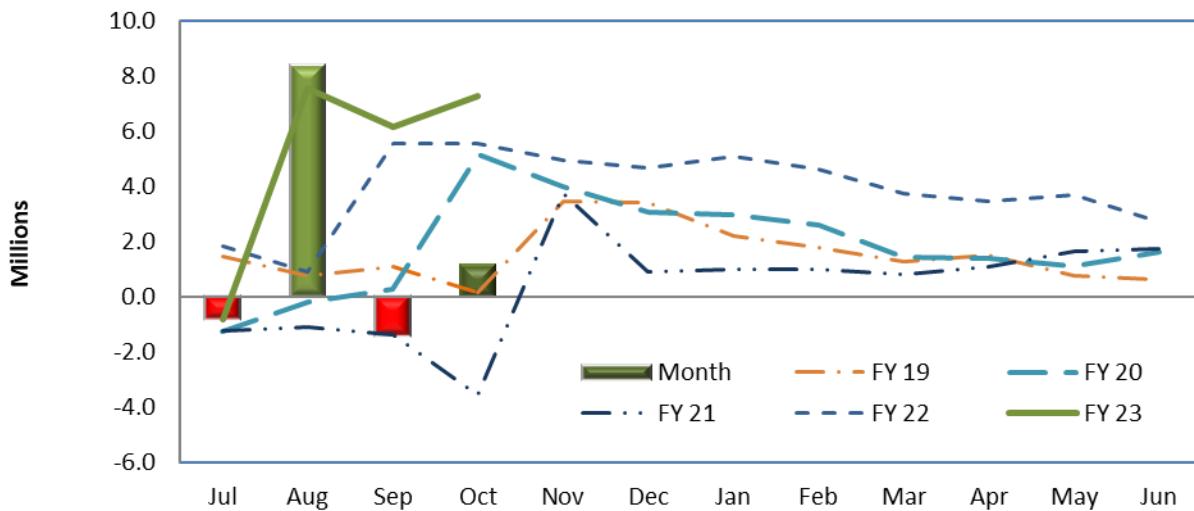
Revenue	State & Local	Fees	Grants	Total
Fees for Service		1,382,660		1,382,660
Grants	5,250	1,200	2,341,782	2,348,232
State Revenue	7,152,452			7,152,452
Local Revenue				
Rent Revenue		96,021		96,021
Other Revenue	2,637			2,637
TRPA Rent Revenue		172,245		172,245
Revenue Total	7,160,339	1,652,126	2,341,782	11,154,247
Expenses				
Compensation	1,457,604	581,828	261,819	2,301,251
Contracts	265,150	272,335	1,971,036	2,508,522
Financing	(70)	23,866		23,796
Other	222,927	306,457	3,663	533,048
Rent	177,644	4,294		181,938
A&O/Transfers	(345,151)	239,921	99,950	(5,280)
Expenses Total	1,778,104	1,428,702	2,336,469	5,543,275
Net	5,382,235	223,423	5,313	5,610,972

* Excludes mitigation funds

Cash Flow

Cash flow was a positive \$1.1M for the month. This is due to receiving first quarter grant invoices. Cash receipts were \$3.3M, with \$2.0M coming from drawdowns on USFS grants through the ASAP program. This program allows us to draw down pre-approved grant funding with a faster payment cycle. The rest are planning fees. Disbursements were \$2.2M consistent with this year's monthly spend. The TRPA budgets for this year are above prior years, so it is not surprising our expenditures are ahead as well.

Monthly/Cumulative Cash Flow



TRPA Balance Sheet

TRPA's Balance Sheet remains strong due to billing and receiving both State's contributions. We will spend down those funds over the course of the fiscal year. Grant funded Cash and A/R increased by \$1.5 M during the month, due to billing first quarter grants. This is offset by a \$0.4M reduction General Fund assets due to spending down the state funds. These two items account for our \$1.1M increase in net assets for the month. Over half of our net assets are due to monies held in trust, either mitigation fees or project securities.

	TRPA	Grants	Trust	Total
Cash & Invest	11,900,517	2,168,233	24,539,802	38,608,552
A/R	104,811	853,356	3,397	961,563
Current Assets	281,587			281,587
LT Assets	8,260,523			8,260,523
Total Assets	20,547,438	3,021,589	24,543,198	48,112,225
A/P	28,623			28,623
Benefits	948,185			948,185
Deferred Rev	13,806	109,463		123,269
Deposits	453,868	2,845		456,712
LT Debt	8,198,000			8,198,000
Mitigation			2,789,746	2,789,746
Securities			6,549,720	6,549,720
Total Liabilities	9,642,482	112,307	9,339,466	19,094,255
Net Position	10,904,956	2,909,282	15,203,733	29,017,970

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 at (775) 589-5222 or ckeillor@trpa.org.

Attachment:

A. October Financial Statements

Attachment A

October Financial Statements

OPERATIONS & GOVERNANCE
COMMITTEE AGENDA ITEM NO. 3 &
CONSENT CALENDAR ITEM NO. 1

Tahoe Regional Planning Agency
Actuals vs. Budget by Program
Fiscal YTD October 2022

TRPA Totals	Ann Budget	YTD	Remaining	% Spent
Revenue				
State Revenue	7,681,010	7,152,452	528,558	93%
Grants	9,950,852	2,348,232	7,602,620	24%
Fees for Service	3,834,965	1,382,660	2,452,305	36%
Local Revenue	150,000		150,000	
Rent Revenue	249,348	96,021	153,327	39%
TRPA Rent Revenue	688,980	172,245	516,735	25%
Other Revenue		2,637	2,637	
Revenue Total	22,555,155	11,154,247	11,400,908	49%
Expenses				
Compensation	8,228,734	2,301,251	5,927,483	28%
Contracts	12,936,317	2,508,522	10,427,795	19%
Financing	617,450	23,796	593,654	4%
Rent	739,125	181,938	557,187	25%
Other	820,485	541,215	279,270	66%
A&O/Transfers	14,772	5,280	9,493	36%
Expenses Total	23,327,338	5,551,442	17,775,896	24%
TRPA Net	(772,183)	5,602,805	(6,374,988)	
Agency Mgmt				
Revenue				
Fees for Service				
Grants	3,000		3,000	
State Revenue	6,232,422	6,232,422		100%
Other Revenue		2,637	2,637	
Local Revenue	150,000		150,000	
Revenue Total	6,385,422	6,235,059	150,363	98%
Expenses				
Compensation	1,944,269	603,159	1,341,110	31%
Contracts	314,491	52,936	261,555	17%
Financing	174	40	214	
Rent	2,249		2,249	
Other	181,312	23,192	158,120	13%
Expenses Total	2,442,496	679,248	1,763,248	28%
Agency Mgmt Net	3,942,926	5,555,811	(1,612,885)	141%

	Ann Budget	YTD	Remaining	
Current Planning				
Revenue				
Fees for Service	2,983,563	1,037,237	1,946,326	35%
Grants	3,600	1,200	2,400	33%
State Revenue	124,000	124,000		100%
Other Revenue				
Revenue Total	3,111,163	1,162,437	1,948,726	37%
Expenses				
Compensation	2,012,896	584,415	1,428,481	29%
Contracts	790,751	265,889	524,862	34%
Financing	55,288	16,722	38,566	30%
Other	78,585	18,776	59,809	24%
A&O/Transfers	1,107,790	229,561	878,229	21%
Expenses Total	4,045,309	1,115,362	2,929,947	28%
Curr Plan Net	(934,146)	47,075	(981,221)	
Envir. Imp.				
Revenue				
Fees for Service	851,402	345,423	505,979	41%
Grants	7,116,942	2,012,569	5,104,373	28%
State Revenue	750,000	750,000		100%
Revenue Total	8,718,344	3,107,992	5,610,352	36%
Expenses				
Compensation	1,258,085	334,996	923,089	27%
Contracts	7,500,858	1,786,305	5,714,553	24%
Financing	15,000	7,114	7,886	47%
Rent	47,571	9,693	37,878	20%
Other	91,259	29,093	62,166	32%
A&O/Transfers	300,348	38,282	262,067	13%
Expenses Total	9,213,121	2,205,483	7,007,638	24%
Env Imp Net	(494,777)	902,509	(1,397,286)	

	Ann Budget	YTD	Remaining	
L RTP				
Revenue				
Grants	2,401,088	317,008	2,084,080	13%
Fees for Service				
Other Revenue				
Revenue Total	2,401,088	317,008	2,084,080	13%
Expenses				
Compensation	1,423,441	396,269	1,027,172	28%
Contracts	1,386,788	204,709	1,182,079	15%
Rent	325		325	
Other	33,098	12,464	20,635	38%
A&O/Transfers	448,841	72,029	376,812	16%
Expenses Total	3,292,493	685,470	2,607,022	21%
L RTP Net	(891,405)	(368,463)	(522,942)	

R & A				
Revenue				
Grants	426,222	17,455	408,767	4%
State Revenue	574,588	46,030	528,558	8%
Revenue Total	1,000,810	63,486	937,324	6%
Expenses				
Compensation	1,165,427	353,090	812,337	30%
Contracts	2,206,682	116,790	2,089,892	5%
Other	4,541	5,671	1,130	125%
A&O/Transfers	13,628		13,628	
Expenses Total	3,390,277	475,551	2,914,726	14%
R & A Net	(2,389,467)	(412,066)	(1,977,402)	

	Ann Budget	YTD	Remaining
Infrastructure			
Revenue			
Other Revenue			
Rent Revenue	249,348	96,021	153,327
TRPA Rent Revenue	688,980	172,245	516,735
Revenue Total	938,328	268,266	670,062
Expenses			
Compensation	96,148	29,322	66,826
Contracts	736,747	81,893	654,854
Financing	546,989		546,989
Rent	688,980	172,245	516,735
Other	429,516	443,852	14,336
Expenses Total	2,498,380	727,312	1,771,067
Infrastructure Net	(1,560,051)	(459,046)	
Other			
Expenses			
A&O/Transfers	1,885,378	345,151	1,540,227
Expenses Total	1,885,378	345,151	1,540,227

TRPA Selected Current Planning Fees

Fiscal Year-to-Date October 2022

Fee Type	2020	2021	2022	2023	This year vs. Last 3 Years
RESIDENTIAL	142,523	138,879	147,822	180,110	37,035
OTHER_REV	62,254	72,780	65,061	83,883	17,185
GENERAL	79,514	73,311	44,601	65,153	(655)
COMMERCL_TA	34,291	28,892	16,325	59,316	32,813
MOORING		13,905	15,678	44,634	34,773
SECURITIES	22,955	23,860	26,763	41,910	17,384
TREE_RMVL	38,226	47,996	43,070	40,200	(2,897)
REVISIONS	17,726	44,949	20,093	39,145	11,556
ALLOCATION	29,312	36,214	35,152	37,250	3,691
FULL_SITE	28,000	32,033	32,330	34,094	3,306
RECR_PUBLIC	12,175	14,935	29,592	25,553	6,653
SHOREZONE	53,114	49,854	5,303	21,454	(14,636)
GRADE_EXCEPT	16,830	16,392	19,680	19,332	1,698
LAND_CHALL	24,294	53,411	30,791	18,060	(18,105)
SOILS_HYDRO	12,227	10,040	18,095	13,600	146
LLADJ_ROW	5,122	2,570	5,572	13,185	
LAND_CAP	6,408	6,600	5,670	11,343	
IPES	(1,925)	5,142	6,445	9,129	5,909
VB_COVERAGE	5,586	5,778	4,278	6,931	1,717
MONITORING	2,800			5,000	4,067
CEP				4,995	4,995
PRE-APP	848	874	2,622	4,266	2,818
VB_USE	4,680	964		4,184	2,303
PARTIAL_SITE	1,600	3,708	3,816	4,014	973
TRANS_DEV		8,520	5,921	3,910	(904)
STD	3,719	(602)	9,234	3,899	(218)
GRADING	4,130	6,375	4,928	3,688	
QUAL_EXEMPT	3,894	2,184	3,179	3,349	263
NOTE_APPEAL		3,968	2,044	3,228	1,224
ENFORCEMNT	15,488	16,777	21,470	3,106	(14,806)
QE SHOREZONE	3,831	2,781	3,816	2,345	(1,131)
TEMP_USE	1,120	1,846	1,902	2,002	379
CONSTR_EXT	1,164	1,676	2,172	1,845	174
SIGNS	320	1,062	3,356	1,731	152
SUBDIV_EXIST	1,002		1,962	1,119	131
UNDRGRD_TANK	2,880	1,628	419	882	(760)
LMTD_INCENT	1,041			756	409
RES_DRIVE	776	600	206	651	124
STD2				136	136
SCENIC_ASSES			546		(182)
STD3	3,445				(1,148)
Totals	641,370	729,903	639,913	819,389	148,994

TRPA Detailed Financials
Fiscal YTD October 2022

Row Labels	Ann Budget	YTD	Remaining	Percent Spent
Agency Mgmt				
GF Revenue				
Revenue				
State Revenue	(6,232,422)	(6,232,422)		100.0%
Local Revenue	(150,000)		(150,000)	
Other Revenue		(0)	0	
Revenue Total	(6,382,422)	(6,232,422)	(150,000)	97.6%
GF Revenue Total	(6,382,422)	(6,232,422)	(150,000)	97.6%
Gov Board				
Expenses				
Contracts	1,000	800	200	80.0%
Other	16,813	3,315	13,498	19.7%
Rent	2,249		2,249	
Expenses Total	20,062	4,115	15,947	20.5%
Gov Board Total	20,062	4,115	15,947	20.5%
Executive				
Expenses				
Compensation	716,698	204,477	512,222	28.5%
Other	4,758	120	4,638	2.5%
Expenses Total	721,456	204,597	516,859	28.4%
Executive Total	721,456	204,597	516,859	28.4%
Legal				
Expenses				
Compensation	301,309	87,750	213,559	29.1%
Contracts	113,654	18,841	94,813	16.6%
Other	5,732	253	5,479	4.4%
Expenses Total	420,695	106,845	313,850	25.4%
Legal Total	420,695	106,845	313,850	25.4%
Communications				
Revenue				
Other Revenue		(2,637)	2,637	
Revenue Total		(2,637)	2,637	
Expenses				
Compensation	234,160	80,177	153,983	34.2%
Contracts	20,000		20,000	

OPERATIONS AND GOVERNANCE
COMMITTEE AGENDA ITEM NO. 3 &
CONSENT CALENDAR ITEM NO 1.

TRPA Detailed Financials
Fiscal YTD October 2022

Row Labels	Ann Budget	YTD	Remaining	Percent Spent
Other	22,664	12,924	9,740	57.0%
Expenses Total	276,824	93,101	183,723	33.6%
Communications Total	276,824	90,464	186,360	32.7%
Finance				
Revenue				
Financing		(70)	70	
Revenue Total		(70)	70	
Expenses				
Compensation	429,431	141,044	288,386	32.8%
Contracts	52,055		52,055	
Other	293	513	(219)	174.7%
Expenses Total	481,779	141,557	340,222	29.4%
Finance Total	481,779	141,487	340,292	29.4%
HR				
Expenses				
Compensation	262,672	89,711	172,960	34.2%
Contracts	127,782	33,295	94,487	26.1%
Other	63,205	6,067	57,137	9.6%
Expenses Total	453,659	129,074	324,585	28.5%
HR Total	453,659	129,074	324,585	28.5%
Agency Mgmt Total	(4,007,948)	(5,555,841)	1,547,893	138.6%
Current Planning				
Current Planning				
Revenue				
Fees for Service	(2,243,563)	(838,772)	(1,404,791)	37.4%
Revenue Total	(2,243,563)	(838,772)	(1,404,791)	37.4%
Expenses				
Compensation	1,262,743	389,835	872,908	30.9%
Contracts	430,540	159,778	270,762	37.1%
Financing	49,087	14,477	34,609	29.5%
Other	5,485		5,485	
A&O/Transfers	729,360	166,126	563,235	22.8%
Expenses Total	2,477,214	730,216	1,746,998	29.5%
Current Planning Total	233,652	(108,556)	342,207	-46.5%

OPERATIONS AND GOVERNANCE
COMMITTEE AGENDA ITEM NO. 3 &
CONSENT CALENDAR ITEM NO 1.

TRPA Detailed Financials
Fiscal YTD October 2022

Row Labels	Ann Budget	YTD	Remaining	Percent Spent
Current Planning Reimbursed				
Revenue				
Fees for Service	(150,000)	(155,699)	5,699	103.8%
Revenue Total	(150,000)	(155,699)	5,699	103.8%
Expenses				
Contracts	118,000	62,402	55,598	52.9%
Expenses Total	118,000	62,402	55,598	52.9%
Current Planning Reimbursed Total	(32,000)	(93,298)	61,298	291.6%
Code Enforcement				
Expenses				
Compensation	389,139	116,077	273,062	29.8%
Other	7,360	991	6,369	13.5%
A&O/Transfers	224,767	49,220	175,547	21.9%
Expenses Total	621,266	166,288	454,978	26.8%
Code Enforcement Total	621,266	166,288	454,978	26.8%
Boat Crew				
Revenue				
State Revenue	(124,000)	(124,000)		100.0%
Revenue Total	(124,000)	(124,000)		100.0%
Expenses				
Compensation	94,977	44,291	50,686	46.6%
Other	40,076	9,060	31,016	22.6%
Expenses Total	135,053	53,351	81,702	39.5%
Boat Crew Total	11,053	(70,649)	81,702	
Settlements				
Revenue				
Fees for Service	(150,000)		(150,000)	
Grants	(3,600)	(1,200)	(2,400)	33.3%
Revenue Total	(153,600)	(1,200)	(152,400)	0.8%
Expenses				
Contracts	138,993	40,000	98,993	28.8%
Other	20,600		20,600	
Expenses Total	159,593	40,000	119,593	25.1%

TRPA Detailed Financials
Fiscal YTD October 2022

Row Labels	Ann Budget	YTD	Remaining	Percent Spent
Settlements Total	5,993	38,800	(32,808)	647.5%
Legal - Direct or Disallowed				
Revenue				
Fees for Service		(28,009)	28,009	
Revenue Total		(28,009)	28,009	
Expenses				
Contracts	32,000	(3,323)	35,323	-10.4%
Fees for Service		20,117	(20,117)	
Expenses Total	32,000	16,793	15,207	52.5%
Legal - Direct or Disallowed Total	32,000	(11,216)	43,216	-35.1%
Shorezone				
Revenue				
Fees for Service	(440,000)	(34,873)	(405,127)	7.9%
Revenue Total	(440,000)	(34,873)	(405,127)	7.9%
Expenses				
Compensation	266,037	34,212	231,824	12.9%
Contracts	71,218	7,032	64,186	9.9%
Financing	6,201	2,245	3,957	36.2%
Other	5,064	8,725	(3,660)	172.3%
A&O/Transfers	153,663	14,216	139,447	9.3%
Expenses Total	502,183	66,429	435,753	13.2%
Shorezone Total	62,183	31,556	30,626	50.7%
Current Planning Total	934,146	(47,075)	981,221	-5.0%
Envir. Imp.				
Env. Improv.				
Revenue				
State Revenue		(375,000)	375,000	
Revenue Total		(375,000)	375,000	
Expenses				
Compensation	537,118	182,453	354,665	34.0%
Contracts	21,218	85	21,133	0.4%
Other	5,829	4,395	1,434	75.4%
Expenses Total	564,165	186,933	377,232	33.1%
Env. Improv. Total	564,165	(188,067)	752,232	-33.3%

OPERATIONS AND GOVERNANCE
COMMITTEE AGENDA ITEM NO. 3 &
CONSENT CALENDAR ITEM NO 1.

TRPA Detailed Financials
Fiscal YTD October 2022

Row Labels	Ann Budget	YTD	Remaining	Percent Spent
Watercraft Inspection Fees				
Revenue				
Fees for Service	(731,678)	(285,185)	(446,493)	39.0%
Revenue Total	(731,678)	(285,185)	(446,493)	39.0%
Expenses				
Compensation	76,775	16,645	60,130	21.7%
Contracts	582,066	5,738	576,328	1.0%
Financing	15,000	7,114	7,886	47.4%
Other	27,067	14,691	12,375	54.3%
Rent	30,771	4,294	26,477	14.0%
A&O/Transfers				
Expenses Total	731,678	48,483	683,195	6.6%
Watercraft Inspection Fees Total	0	(236,702)	236,702	
CA Gen Fund AIS Prevention				
Revenue				
State Revenue	(375,000)	(375,000)		100.0%
Revenue Total	(375,000)	(375,000)		100.0%
Expenses				
Contracts	375,000		375,000	
Expenses Total	375,000		375,000	
CA Gen Fund AIS Prevention Total		(375,000)	375,000	
NV Gen Fund AIS Prevention & Control				
Revenue				
State Revenue	(375,000)		(375,000)	
Revenue Total	(375,000)		(375,000)	
Expenses				
Compensation	68,926	28,022	40,904	40.7%
Contracts	231,601	7,000	224,601	3.0%
Other	57,673	9,946	47,727	17.2%
Rent	16,800	5,399	11,401	32.1%
A&O/Transfers				
Expenses Total	375,000	50,367	324,633	13.4%
NV Gen Fund AIS Prevention & Control Tot	0	50,367	(50,367)	
USFWS AIS Control Lake Tahoe 2				

OPERATIONS AND GOVERNANCE
COMMITTEE AGENDA ITEM NO. 3 &
CONSENT CALENDAR ITEM NO 1.

TRPA Detailed Financials
Fiscal YTD October 2022

Row Labels	Ann Budget	YTD	Remaining	Percent Spent
Revenue				
Grants	(1,317,017)	(424,096)	(892,921)	32.2%
Revenue Total	(1,317,017)	(424,096)	(892,921)	32.2%
Expenses				
Compensation		24,004	(24,004)	
Contracts	1,317,017	69,592	1,247,425	5.3%
A&O/Transfers		13,865	(13,865)	
Expenses Total	1,317,017	107,460	1,209,557	8.2%
USFWS AIS Control Lake Tahoe 2 Total		(316,636)	316,636	
USFS LTRA Ski Run Marina				
Revenue				
Grants	(187,875)	(1,718)	(186,157)	0.9%
Revenue Total	(187,875)	(1,718)	(186,157)	0.9%
Expenses				
Compensation	58,872	1,291	57,581	2.2%
Contracts	95,000		95,000	
A&O/Transfers	34,004	629	33,375	1.8%
Expenses Total	187,876	1,920	185,956	1.0%
USFS LTRA Ski Run Marina Total	1	202	(201)	
Shorezone Mitigation Funds				
Revenue				
Fees for Service	(49,645)	(31,820)	(17,825)	64.1%
Revenue Total	(49,645)	(31,820)	(17,825)	64.1%
Expenses				
Contracts	49,645		49,645	
Expenses Total	49,645		49,645	
Shorezone Mitigation Funds Total		(31,820)	31,820	
AIS Prevention (SNPLMA Rnd 12 Final)				
Revenue				
Grants	(1,577,773)	(553,278)	(1,024,495)	35.1%
Revenue Total	(1,577,773)	(553,278)	(1,024,495)	35.1%
Expenses				
Compensation	277,762	35,223	242,538	12.7%
Contracts	1,139,574	263,781	875,793	23.1%

OPERATIONS AND GOVERNANCE
COMMITTEE AGENDA ITEM NO. 3 &
CONSENT CALENDAR ITEM NO 1.

TRPA Detailed Financials
Fiscal YTD October 2022

Row Labels	Ann Budget	YTD	Remaining	Percent Spent
A&O/Transfers	160,435	12,903	147,532	8.0%
Expenses Total	1,577,771	311,907	1,265,864	19.8%

AIS Prevention (SNPLMA Rnd 12 Final) Total	(2)	(241,371)	241,369
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ANS Mgmt Plan - Meeks Bay Control

Revenue				
Grants	(149,092)	(70,867)	(78,225)	47.5%
Revenue Total	(149,092)	(70,867)	(78,225)	47.5%

Expenses

Contracts	149,092	70,867	78,226	47.5%
Expenses Total	149,092	70,867	78,226	47.5%

ANS Mgmt Plan - Meeks Bay Control Total	0	0
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AIS Decon Unit Purchase (DBW)

Revenue				
Grants	(75,000)		(75,000)	
Revenue Total	(75,000)		(75,000)	

Expenses

Contracts	75,000	75,000		
Expenses Total	75,000	75,000		

AIS Decon Unit Purchase (DBW) Total
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DBW Meyers Station Grant

Revenue				
Grants	(101,280)		(101,280)	
Revenue Total	(101,280)		(101,280)	

Expenses

Compensation	13,191	(13,191)		
Contracts	101,280	30,325	70,955	29.9%
A&O/Transfers				
Expenses Total	101,280	43,516	57,763	43.0%

DBW Meyers Station Grant Total	(0)	43,516	(43,517)
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AIS Prevention Equipment (DBW Grant)

Revenue				
Grants	(259,764)	(75,136)	(184,628)	28.9%
Revenue Total	(259,764)	(75,136)	(184,628)	28.9%

TRPA Detailed Financials
Fiscal YTD October 2022

Row Labels	Ann Budget	YTD	Remaining	Percent Spent
Expenses				
Compensation	18,784	5,876	12,908	31.3%
Expenses Total	18,784	5,876	12,908	31.3%
AIS Prevention Equipment (DBW Grant) Tot	(240,980)	(69,260)	(171,720)	
Warm Water Fish Control (Prop 1 CTC)				
Revenue				
Grants	(100,000)		(100,000)	
Revenue Total	(100,000)		(100,000)	
Expenses				
Contracts	100,000		100,000	
Expenses Total	100,000		100,000	
Warm Water Fish Control (Prop 1 CTC) Total				
Taylor Tallac Restoration Project				
Revenue				
Grants	(125,000)		(125,000)	
Revenue Total	(125,000)		(125,000)	
Expenses				
Contracts	125,000		125,000	
Expenses Total	125,000		125,000	
Taylor Tallac Restoration Project Total				
USFS Lake Tahoe West - P3				
Revenue				
Grants	(35,850)		(35,850)	
Revenue Total	(35,850)		(35,850)	
Expenses				
Compensation	22,724		22,724	
A&O/Transfers	13,126		13,126	
Expenses Total	35,850		35,850	
USFS Lake Tahoe West - P3 Total	(0)		(0)	
BMP Enforcement in NV (NV 319)				
Revenue				
Grants	(136,228)	(774)	(135,454)	0.6%

OPERATIONS AND GOVERNANCE
COMMITTEE AGENDA ITEM NO. 3 &
CONSENT CALENDAR ITEM NO 1.

TRPA Detailed Financials
Fiscal YTD October 2022

Row Labels	Ann Budget	YTD	Remaining	Percent Spent
Revenue Total	(136,228)	(774)	(135,454)	0.6%
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Expenses				
Compensation	56,465	573	55,892	1.0%
Contracts	60,000		60,000	
A&O/Transfers	19,763	201	19,562	1.0%
Expenses Total	136,228	774	135,454	0.6%
BMP Enforcement in NV (NV 319) Total	(1)	0	(1)	
<hr/>				
Stormwater Planning Support				
Revenue				
Fees for Service	(70,079)	(28,418)	(41,661)	40.6%
Revenue Total	(70,079)	(28,418)	(41,661)	40.6%
Expenses				
Compensation		25,059	(25,059)	
Other	691	61	630	8.8%
A&O/Transfers		10,360	(10,360)	
Expenses Total	691	35,480	(34,789)	5135.6%
Stormwater Planning Support Total	(69,388)	7,062	(76,450)	-10.2%
<hr/>				
Monitoring Asian Clams Sand Harbor (NDSL)				
Revenue				
Grants	(1,379,803)	(180,400)	(1,199,403)	13.1%
Revenue Total	(1,379,803)	(180,400)	(1,199,403)	13.1%
Expenses				
Compensation	38,180	651	37,529	1.7%
Contracts	1,319,571	179,515	1,140,056	13.6%
A&O/Transfers	22,053	324	21,729	1.5%
Expenses Total	1,379,803	180,490	1,199,313	13.1%
Monitoring Asian Clams Sand Harbor (NDSL)	0	90	(89)	
<hr/>				
Lahontan Caldor Fire Monitoring				
Revenue				
Grants	(118,380)		(118,380)	
Revenue Total	(118,380)		(118,380)	
Expenses				
Compensation	2,380	286	2,094	12.0%
Contracts	116,000		116,000	

OPERATIONS AND GOVERNANCE
COMMITTEE AGENDA ITEM NO. 3 &
CONSENT CALENDAR ITEM NO 1.

TRPA Detailed Financials
Fiscal YTD October 2022

Row Labels	Ann Budget	YTD	Remaining	Percent Spent
A&O/Transfers				
Expenses Total	118,380	286	118,094	
Lahontan Caldor Fire Monitoring Total	0	286	(286)	
NDF Healthy Forest/Lake				
Revenue				
Grants	(88,300)		(88,300)	
Revenue Total	(88,300)		(88,300)	
Expenses				
Compensation	55,874		55,874	
A&O/Transfers	32,426		32,426	
Expenses Total	88,300		88,300	
NDF Healthy Forest/Lake Total	(0)		(0)	
Cal Fire Defensible Space				
Revenue				
Grants	(1,414,935)	(706,301)	(708,634)	49.9%
Revenue Total	(1,414,935)	(706,301)	(708,634)	49.9%
Expenses				
Contracts	1,414,935	1,128,668	286,267	79.8%
Expenses Total	1,414,935	1,128,668	286,267	79.8%
Cal Fire Defensible Space Total	0	422,368	(422,367)	
Envir. Imp. Total	253,797	(934,965)	1,188,761	-368.4%
L RTP				
Long Range & Transp. Planning				
Revenue				
Grants		(5,250)	5,250	
Revenue Total		(5,250)	5,250	
Expenses				
Compensation	610,187	217,941	392,245	35.7%
Contracts	161,000	4,460	156,540	2.8%
Other	2,249	1,945	304	86.5%
Expenses Total	773,435	224,346	549,090	29.0%
Long Range & Transp. Planning Total	773,435	219,096	554,340	28.3%

TRPA Detailed Financials
Fiscal YTD October 2022

Row Labels	Ann Budget	YTD	Remaining	Percent Spent
TMPO				
Expenses				
Contracts	93,649	15,703	77,946	16.8%
Other	23,996	6,855	17,140	28.6%
Rent	325		325	
Expenses Total	117,969	22,558	95,411	19.1%
TMPO Total	117,969	22,558	95,411	19.1%
LRTP Total	891,405	241,654	649,751	27.1%
R & A				
Research & Analysis				
Expenses				
Compensation	1,115,787	348,330	767,457	31.2%
Contracts	1,269,140	98,604	1,170,536	7.8%
Other	4,541	4,198	343	92.4%
Expenses Total	2,389,468	451,132	1,938,336	18.9%
Research & Analysis Total	2,389,468	451,132	1,938,336	18.9%
Nearshore Trib Monitoring (Lahontan)				
Revenue				
Grants	(214,001)	(17,455)	(196,546)	8.2%
Revenue Total	(214,001)	(17,455)	(196,546)	8.2%
Expenses				
Compensation	4,749	674	4,075	14.2%
Contracts	209,252	13,008	196,244	6.2%
A&O/Transfers				
Expenses Total	214,001	13,682	200,318	6.4%
Nearshore Trib Monitoring (Lahontan) Total	(0)	(3,773)	3,772	
Lake Tahoe West GIS Support				
Revenue				
State Revenue	(250,000)		(250,000)	
Revenue Total	(250,000)		(250,000)	
Expenses				
Contracts	250,000		250,000	
Expenses Total	250,000		250,000	
Lake Tahoe West GIS Support Total				

OPERATIONS AND GOVERNANCE
COMMITTEE AGENDA ITEM NO. 3 &
CONSENT CALENDAR ITEM NO 1.

TRPA Detailed Financials
Fiscal YTD October 2022

Row Labels	Ann Budget	YTD	Remaining	Percent Spent
R & A Total	2,389,467	447,359	1,942,108	18.7%
Infrastructure				
General Services				
Expenses				
Compensation	96,148	29,322	66,826	30.5%
Contracts	26,723	269	26,454	1.0%
Other	103,722	15,762	87,960	15.2%
Rent	688,980	172,245	516,735	25.0%
Expenses Total	915,574	217,598	697,976	23.8%
General Services Total	915,574	217,598	697,976	23.8%
IT				
Expenses				
Contracts	256,925	80,916	176,009	31.5%
Other	209,305	146,100	63,205	69.8%
Expenses Total	466,230	227,016	239,215	48.7%
IT Total	466,230	227,016	239,215	48.7%
Building				
Revenue				
Rent Revenue	(249,348)	(96,021)	(153,327)	38.5%
TRPA Rent Revenue	(688,980)	(172,245)	(516,735)	25.0%
Revenue Total	(938,328)	(268,266)	(670,062)	28.6%
Expenses				
Contracts	453,099	709	452,390	0.2%
Financing	546,989		546,989	
Other	49,594	262,520	(212,926)	529.3%
Expenses Total	1,049,682	263,229	786,453	25.1%
Building Total	111,353	(5,037)	116,391	-4.5%
CAM				
Expenses				
Other	66,894	19,470	47,424	29.1%
Expenses Total	66,894	19,470	47,424	29.1%
CAM Total	66,894	19,470	47,424	29.1%
Infrastructure Total	1,560,051	459,046	1,101,005	29.4%

OPERATIONS AND GOVERNANCE
COMMITTEE AGENDA ITEM NO. 3 &
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TRPA Detailed Financials
Fiscal YTD October 2022

Row Labels	Ann Budget	YTD	Remaining	Percent Spent
Other				
Other				
Expenses				
Compensation	328,469		328,469	
Other	2,173		2,173	
A&O/Transfers	(1,885,378)	(345,151)	(1,540,227)	18.3%
Expenses Total	(1,554,737)	(345,151)	(1,209,585)	22.2%
Other Total	(1,554,737)	(345,151)	(1,209,585)	22.2%
Other Total	(1,554,737)	(345,151)	(1,209,585)	22.2%



STAFF REPORT

Date: November 9, 2022

To: TRPA Governing Board

From: TRPA Staff

Subject: Authorize approval for the Inflation Adjustment to TRPA Rental Car Mitigation Fee

Summary and Staff Recommendation:

Staff recommends that the Governing Board adopt the attached Resolution 2022-__ (Attachment A) to adjust the Tahoe Regional Planning Agency (TRPA) Rental Car Mitigation Fee for inflation. It will increase the rental car mitigation fee by 6.8 percent rounded to the nearest quarter dollar to \$5.75 per day per car, from the previous fee of \$5.50 per day per car. The adjustments to the rental car mitigation fee would take effect on Sunday, January 15, 2023.

Required Motion:

In order to adopt the fee increase, the Board must make the following motion, based on the staff report:

1. A motion to adopt Resolution 2022-__ (Attachment A) to increase TRPA Rental Car Mitigation Fee to by \$0.25 to \$5.75 per day per car.

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

Project Description/Background:

The Rental Car Mitigation Program was adopted by the Governing Board in 1993 to offset impacts of rental car use in the Tahoe Region and mitigate vehicle miles traveled. Each rental transaction in which the rental car is rented by, or delivered to, a person in the Tahoe region shall be assessed a mitigation fee for each day of the rental transaction. The mitigation fee is charged and collected by all rental car businesses that rent or deliver rental cars to persons in the Tahoe region. Mitigation fees are remitted to TRPA quarterly and then disbursed to the Tahoe Transportation District (TTD).

The mitigation fee shall be adjusted annually consistent with the annual change in the Consumer Price Index (CPI) for the San Francisco Region, rounded to the nearest quarter-dollar, however the rate was last adjusted to \$5.50 in January 2009. Any adjustment to the fee shall be reviewed and approved by the TTD board and the TRPA Governing Board. TTD approved the fee increase to \$5.75 at their October meeting.

Discussion:

Staff are proposing the Governing Board increase the rental car mitigation fee to \$5.75. According to the Bureau of Labor Statistics, the CPI for the San Francisco Region from the period of June 2021 to June 2022 was 6.8 percent, which equates to a \$0.37 increase and rounded to the nearest quarter-dollar, which is \$5.75. The TTD has estimated the fee adjustment will increase collections by \$4,755 annually. TTD currently uses funds to provide assistance to their General Fund and to support transit programs operated by the Truckee-North Tahoe Transportation Management Association.

Contact Information:

For questions regarding this agenda item, please contact Kira Smith, at (775) 589-5236 or ksmith@trpa.gov.

Attachment:

A. Resolution 2022-__

Attachment A

Resolution 2022-__

TAHOE REGIONAL PLANNING AGENCY
TRPA RESOLUTION NO. 2022 –

**RESOLUTION OF THE TAHOE REGIONAL PLANNING AGENCY ANNUAL ADJUSTMENT TO THE RENTAL CAR
MITIGATION FEE**

WHEREAS, the Tahoe Regional Planning Agency (TRPA) is responsible under the TRPA Code of Ordinances and Regional Transportation Plan to administer the Rental Car Mitigation Program; and

WHEREAS, the mitigation fee is intended to mitigate vehicle miles traveled and assist in the achievement and maintenance of environmental thresholds for transportation and air and water quality; and

WHEREAS, the mitigation fee will be subject to an annual adjustment each January according to the Consumer Price Index from the Bureau of Labor Statistics for the San Francisco Region; and

NOW, THEREFORE, BE IT RESOLVED, that the Governing Board of the Tahoe Regional Planning Agency, pursuant to the authority contained in Chapter 65.4 of the Code of Ordinances and Section 10.8.5 (B) of the Rules of Procedure of said Agency, that the fees to be charged and collected, for the support of transit and transportation projects by the Tahoe Transportation District, by the Agency shall be in accordance with the schedule thereof set forth in Exhibit 1 attached hereto and incorporated herein by this reference and shall become effective January 15, 2023.

PASSED AND ADOPTED by the Governing Board of Tahoe Regional Planning Agency at its regular meeting held on November 16, 2022, by the following vote:

Ayes:

Nays:

Abstain:

Absent:

Cindy Gustafson, Chair
Tahoe Regional Planning Agency
Governing Board



**TAHOE
REGIONAL
PLANNING
AGENCY**

Mail

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Stateline, NV 89449-5310

Location

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Contact

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STAFF REPORT

Date: November 9, 2022

To: TRPA Governing Board

From: TRPA Staff

Subject: Release of \$3,700,000 in Excess Coverage Mitigation (ECM) Funds to the California Tahoe Conservancy for Land Bank Acquisition

Summary:

As presented in the Operations Committee in October 2022, the California Tahoe Conservancy (CTC) is requesting a release of ECM funds for a potential land bank acquisition per the mutually adopted Memorandum of Understanding (MOU) between TRPA and CTC. As of September 2022, the current estimated balance of ECM funds held by TRPA for the California land bank is \$3,732,281.83. The funding request is \$3,700,000.

Background:

Since the 1987 Lake Tahoe Regional Plan, local land banks in California and Nevada have played a crucial role in mitigating the environmental impacts associated with the urbanization of the Lake Tahoe Basin. These partners continue to help meet local land use goals today by land and development right acquisition, the transfer of development rights, permanent retirement of land coverage, and sensitive land restoration.

As part of their Memorandum of Understanding with TRPA, the land banks receive ECM fees paid by project applicants to mitigate legally existing "grandfathered" coverage amounts. Property owners or project proponents with "excess coverage" must mitigate a portion through any of the following excess coverage mitigation program options (or combinations thereof) including reducing and restoring coverage on-site, offsite on their own, or payment of an ECM Fee in lieu of immediate coverage reduction. The majority of project applicants pay the ECM fee for continued use of the grandfathered coverage on their properties. The land banks receive ECM fee disbursements from TRPA to retire potential coverage or restore existing coverage in sensitive areas. The land bank MOU governs the use of the ECM fee.

This continued partnership between TRPA and the land banks is a key mechanism to meet the goals and policies of the Regional Plan and accelerate threshold attainment by transferring aging development from sensitive areas into more walkable, bikeable, and transit-oriented town centers.

The California Tahoe Conservancy's land bank program, Tahoe Livable Communities, seeks to achieve goals related directly to the Regional Plan, which incentivize environmental redevelopment in pursuit of threshold attainment, such as:

OPERATIONS & GOVERNANCE
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CONSENT CALENDAR ITEM NO. 3

- Modify the distribution of development after 2012 compared to the distribution in 2012;
- Increase the annual average number of development rights transferred to town centers from sensitive and remote land compared to the annual average prior to 2012;
- Accelerate the removal rate of existing non-residential development rights on sensitive lands;
- Improve housing availability for residents and workers;
- Increase percentage of all trips using non-automobile modes of travel (transit, bicycle, pedestrian);
- Decrease automobile vehicle miles travelled per capita (excluding through trips)
- Accelerate pedestrian and bicycle improvements; and
- Increase the rate of redevelopment.

On an annual basis, TRPA staff and CTC staff work together to set priorities for land acquisition and sensitive lands restoration that align with both the Lake Tahoe Regional Plan and California Statewide planning goals. The agreed-upon priorities then become criteria for planning, acquisition, and deposition decisions that support the Regional Plan and environmentally beneficial redevelopment, such as those listed above. Additionally, the MOU establishes monitoring, reporting, and tracking of the land bank activities and environmental improvement projects.

Request for Release of Excess Coverage Mitigation (ECM) Funds:

As of September 2022, the current estimated balance of excess coverage mitigation funds held by TRPA for the California land bank is \$3,732,281.83. The funding request is \$3,700,000. Per the MOU, up to 18% of the request may be used for administration.

The funds will be directed to acquisition and site stabilization of the 31-acre South Lake Tahoe Motel 6 site within a prime stream environment zone and stream restoration area. The site currently contains 143 tourist accommodation units, 4,450 square feet of commercial floor area, and 150,400 square feet of sensitive Class 1B existing land coverage. The project has the potential to make significant advancements in Regional Plan performance measures, environmental thresholds, and Regional Plan and Area Plan goals. TRPA has been providing staff level support in an advisory capacity including availability and use of mitigation funds and future use of banked development rights and coverage.

The total cost of this high priority acquisition will exceed the amount of ECM funds available. The ECM funds will also be used as match for other expected state funding sources to fulfill the full cost of the acquisition. Other potential state funding sources the CTC is seeking are from the California Department of Fish and Wildlife and the California Wildlife Conservation Board.

ECM funds for the land purchase will be placed in an escrow account for the explicit use of this acquisition. Funds used for related purposes, including site stabilization and administration, will be transferred to CTC after escrow closes. The specific amounts for site stabilization and administration will be dependent on the final transaction amount and will be recorded in the invoicing process and approved at staff level.

All use of funds will be in conformance with the MOU. Funds for administration are included with the total requested amount of \$3,700,000, will not exceed 18% of the total transaction, and are expected to

be less. In the event the transaction does not occur, the escrow funds will be returned to TRPA to be used for future CTC land bank acquisitions.

Contact Information

If you have any questions regarding this item, please contact Jen Self at jself@trpa.gov or (775) 589-5261.

OPERATIONS & GOVERNANCE
COMMITTEE AGENDA ITEM NO. 5 &
CONSENT CALENDAR ITEM NO. 3



STAFF REPORT

Date: November 9, 2022

To: TRPA Governing Board

From: TRPA Staff

Subject: Authorize approval of the FY 2022-2023 State of Good Repair project lists for the Tahoe-Truckee Area Regional Transit (TART) and Tahoe Transportation District (TTD)

Summary and Staff Recommendation:

Staff recommends that the Governing Board adopt the attached resolution (Attachment A) regarding approval of the FY 2022-2023 State of Good Repair project lists submitted by the Tahoe-Truckee Area Regional Transit and Tahoe Transportation District.

Required Motion:

In order to adopt the proposed resolutions, the Board must make the following motion, based on this staff report:

1. A motion to adopt Resolution 22-__ (Attachment A) approving the FY22-23 State of Good Repair project lists for the Tahoe-Truckee Area Regional Transit and Tahoe Transportation District.

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

Project Description/Background:

The Road Repair and Accountability Act of 2017, Senate Bill (SB) 1 (Chapter 5, Statutes of 2017), was signed by the Governor of California on April 28, 2017. SB1 includes a program that will provide additional revenues for transit infrastructure repair and service improvements and is referred to as the State of Good Repair program. This program provides funding of approximately \$105 million annually to the State Transit Assistance (STA) Account. These funds are to be made available for eligible transit maintenance, rehabilitation and capital projects.

Discussion:

The State of California has set the application process for the State of Good Repair program. The total estimated available amount allocated to TRPA for FY 2022-2023, is \$176,182.

Placer County - TART	\$80,627.00
TTD - South Shore Transit System	<u>\$95,555.00</u>
Total:	\$176,182.00

Placer County's (TART) allocation of \$80,627 will go towards preventative maintenance and the purchase of two transit buses and El Dorado County's (TTD) total allocation of \$95,555 will be applied to a preventative maintenance program project.

Project Details:

	Tahoe Transportation District	Tahoe Truckee Area Regional Transit
Title	FY 22-23 Preventative Maintenance	FY 22-23 Preventative Maintenance and the purchase of two transit buses
Description	These funds will be used for preventative maintenance activities	These funds will be used for preventative maintenance and to support the purchase of two transit buses.
Asset Type	Rolling Stock/Fleet	Rolling Stock/Fleet
Project Category	Maintenance	Maintenance and Replacement
Est. Useful Life	5	12
Est. Project Start Date	7/1/2022	7/1/2022
Est. Project Completion Date	6/30/2023	6/30/2023
Est. 99313 Costs	\$95,555	\$80,627
Est. 99314 Costs	\$9,561	\$0

Contact Information:

For questions regarding this agenda item, please contact Kira Smith, at (775) 589-5236 or ksmith@trpa.gov.

Attachment:

- A. Resolution 2022-__ (Approval of Project List)

Attachment A

Resolution 2022-__ (Approval of Project List)

TAHOE REGIONAL PLANNING AGENCY
TRPA RESOLUTION NO. 2022 –

**APPROVAL OF THE FISCAL YEAR 2022-2023 PROJECT LIST TO BE FUNDED BY THE CALIFORNIA STATE OF
GOOD REPAIR PROGRAM**

WHEREAS, the Tahoe Regional Planning Agency (TRPA) is designated by the State of California as the Regional Transportation Planning Agency (RTPA) for the California portion of the Tahoe Region and is an eligible project sponsor and so may receive State Transit Assistance funding from the State of Good Repair Account (SGR) now or sometime in the future for transit projects; and

WHEREAS, the statutes related to state-funded transit projects require a local or regional implementing agency to abide by various regulations; and

WHEREAS, Senate Bill 1 (2017) named the Department of Transportation (Department) as the administrative agency for the SGR; and Whereas, the Department has developed guidelines for administering and distributing SGR funds to eligible project sponsors (local agencies); and

WHEREAS, the Tahoe Regional Planning Agency has received project lists from Tahoe-Truckee Area Regional Transit and Tahoe Transportation District that meet the criteria outlined in Senate Bill 1 (2017); and

WHEREAS, the proposed projects meet the criteria outlined in Senate Bill 1 (2017); and

WHEREAS, the Tahoe Regional Planning Agency concurs with and approves the project lists for the State of Good Repair Program funds; and

WHEREAS, the State of California requires the Tahoe Regional Planning Agency to obtain Governing Board approval for projects submitted for funding under the California State of Good Repair Program.

NOW, THEREFORE, BE IT RESOLVED, that the Tahoe Regional Planning Agency Governing Board hereby approves the SB1 State of Good Repair Project List for FY 2022-23; and

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the Tahoe Regional Planning Agency, that the fund recipient agrees to comply with all conditions and requirements set forth in the Certification and Assurances document and applicable statutes, regulations and guidelines for all SGR funded transit capital projects.

NOW, THEREFORE, BE IT RESOLVED, that John Hester, Interim Executive Director, or his designee, is hereby authorized to submit a request for Scheduled Allocation of the SB1 State of Good Repair funds and to execute the related grant applications, forms and agreements.

PASSED AND ADOPTED by the Governing Board of Tahoe Regional Planning Agency at its regular meeting held on November 16, 2022, by the following vote:

Ayes:

Nays:

Abstain:

Absent:

Cindy Gustafson, Chair
Tahoe Regional Planning Agency
Governing Board

STAFF REPORT

Date: November 9, 2022

To: TRPA Governing Board

From: TRPA Staff

Subject: Authorize the allocation of FY 2022-2023 Local Transportation Funds of \$75,000 to the Tahoe Regional Planning Agency for the Administration and Planning of the Transportation Development Act

Summary and Staff Recommendation:

Governing Board adoption of the attached resolution approving the FY 2022-2023 allocation of Local Transportation Funds to the Tahoe Regional Planning Agency (TRPA) for the cost of administration and planning of the Transportation Development Act program.

Staff recommends the Governing Board adopt the attached resolution (Attachment A) approving the allocation of the FY 2022-2023 Local Transportation Funds in the amount of \$75,000 to the Tahoe Regional Planning Agency (TRPA).

Required Motion:

In order to adopt the proposed resolution, the Board must make the following motion, based on this staff report:

1. A motion to approve the proposed resolution (Attachment A).

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

Background:

As the designated Regional Transportation Planning Agency (RTPA) for the California portion of the Tahoe Region, TRPA has the responsibility for administering the funds that are provided by the Transportation Development Act (TDA). TDA provides two funding sources that are intended for the support and development of transportation services. These funds are the Local Transportation Fund (LTF) and the State Transit Assistance (STA) fund.

TDA legislation provides financial support for public transportation through the LTF, which is derived from ¼ cent of the general sales tax collected statewide. The State Board of Equalization, based on sales tax collected in each county, returns the general sales tax revenues to each county's LTF. These funds are deposited in a local transportation fund. RTPAs administer these funds within their areas of jurisdiction based upon population and the priorities set by the TDA. TDA regulations allow the LTF to

KS/

OPERATIONS AND GOVERNANCE
COMMITTEE AGENDA ITEM NO. 7 &
CONSENT CALENDAR ITEM NO. 5

support the RTPA's cost of administering the program and allows up to three percent of the funds to be allocated to the RTPAs for transportation planning and programming purposes.

As required by the TDA, the El Dorado County and Placer County Auditor Controller Offices have notified TRPA of the LTF funds apportioned for El Dorado County and Placer County within the Tahoe Region. Following the priorities set by the TDA, TRPA has allocated LTF funds for its costs of administering the program and for the transportation planning functions. These costs are prorated to both El Dorado County and Placer County. After these funds are withheld, the remaining monies are available to transit operators in El Dorado County and Placer County in the Tahoe Region. Historically, these remaining LTF funds have been programmed 100 percent to provide for public transit services.

Staff has determined that a total of \$40,000 is required to administer the TDA program, which represents approximately 1.47 percent of the total LTF (\$2,719,633) available this fiscal year to the Tahoe Region. These funds will be used to cover the costs of required TDA fiscal reports and audits and will fund the TRPA staff activities necessary to administer this program. A total of \$25,800 is budgeted from the El Dorado County apportionment and \$14,200 from the Placer County apportionment.

The amount required for planning and programming functions of the TDA is \$35,000. This amount represents approximately 1.29 percent of the total LTF (\$2,719,633) available this fiscal year to the Tahoe Region. Of this amount, \$22,600 is budgeted from the El Dorado County apportionment and \$12,400 from the Placer County apportionment.

The services to be provided by this funding can be found in the Transportation Overall Work Program and are consistent with the TDA regulations and the Regional Transportation Plan.

The monies shall be derived from El Dorado County's LTF and Placer County's LTF apportionments as shown in the table below. TRPA rounded the allocations to the nearest \$100, for ease of distribution.

FY 2022-2023 LOCAL TRANSPORTATION FUND	
• TDA ADMINISTRATION ALLOCATIONS	
El Dorado County 64.48%	\$25,800
Placer County 35.52%	\$14,200
Administration total:	\$40,000
• PLANNING AND PROGRAMMING ALLOCATIONS	
El Dorado County 64.48%	\$22,600
Placer County 35.52%	\$12,400
Planning & Programming total:	\$35,000
TOTAL ALLOCATION:	\$ 75,000

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OPERATIONS AND GOVERNANCE
COMMITTEE AGENDA ITEM NO. 7 &
CONSENT CALENDAR ITEM NO. 5

Issues/Concerns:

The proposed allocation of TDA funding allocation does not have any known issues or concerns.

Regional Plan Compliance:

The proposed allocations of funds comply with all requirements of the State of California TDA rules and regulations, and the objectives of the TRPA Regional Plan Goals and Policies.

Contact Information:

For questions regarding this agenda item, please contact Kira Smith at (775) 589-5236 or by email at ksmith@trpa.gov.

Attachment:

- A. Resolution

KS/

OPERATIONS AND GOVERNANCE
COMMITTEE AGENDA ITEM NO. 7 &
CONSENT CALENDAR ITEM NO. 5

Attachment A

Resolution

KS/

OPERATIONS AND GOVERNANCE
COMMITTEE AGENDA ITEM NO. 7 &
CONSENT CALENDAR ITEM NO. 5

**TAHOE REGIONAL PLANNING AGENCY,
TRPA RESOLUTION NO. 2022 - _____**

**A RESOLUTION ALLOCATING FY 2022-2023 LOCAL TRANSPORTATION FUNDS OF \$75,000
TO THE TAHOE REGIONAL PLANNING AGENCY FOR ADMINISTRATION AND PLANNING OF THE
TRANSPORTATION DEVELOPMENT ACT PROGRAM**

WHEREAS, the Tahoe Regional Planning Agency (TRPA) was designated by the State of California as the Regional Transportation Planning Agency (RTPA) for the Tahoe Region; and

WHEREAS, as the RTPA, TRPA has the responsibility for allocating the Local Transportation Funds (LTF) for the Tahoe Region; and

WHEREAS, the FY 2022-2023 Local Transportation Funds available for allocation within the El Dorado and Placer County portions of the Tahoe Region is \$2,709,633; and

WHEREAS, TRPA is eligible to receive LTF funds to cover the cost of administering the Transportation Development Act (TDA) program and for the transportation planning purposes and is hereby requesting the release of \$75,000 in LTF to cover such costs; and

WHEREAS, the proposed use of the funds by TRPA is consistent with the Transportation Development Act Rules and Regulations and with the TRPA Regional Transportation Plan Goals and Policies

NOW THEREFORE, BE IT RESOLVED that the Governing Board of the Tahoe Regional Planning Agency authorizes the release of the FY 2022-2023 Local Transportation Funds in the amount of \$75,000 to the Tahoe Regional Planning Agency for administration and planning of the TDA program.

PASSED AND ADOPTED by the Governing Board of the Tahoe Regional Planning Agency at its regular meeting held on November 16, 2022, by the following vote:

Ayes:

Nays:

Absent:

Cindy Gustafson, Chair
Tahoe Regional Planning Agency
Governing Board

KS/

OPERATIONS AND GOVERNANCE
COMMITTEE AGENDA ITEM NO. 7 &
CONSENT CALENDAR ITEM NO. 5



**TAHOE
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Stateline, NV 89449-5310

Location

128 Market Street
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Contact

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STAFF REPORT

Date: November 9, 2022
To: TRPA Governing Board
From: TRPA Staff
Subject: Approval of Estimated Allocation of FY 2022-2023 Local Transportation Funds of \$1,695,153 to Tahoe Transportation District

Summary and Staff Recommendation:

Tahoe Regional Planning Agency (TRPA) Governing Board adoption of the attached resolution approving the release of FY 2022-2023 Local Transportation Funds to Tahoe Transportation District (TTD) in the amount of \$1,695,153 for transit operations within the El Dorado County portion of the Tahoe Region. TRPA, acting as the California Regional Transportation Planning Agency (RTPA), authorizes distribution of annual funding allocations from California Transportation Development Act (TDA) Local Transportation Fund (LTF) which is derived from $\frac{1}{4}$ cent general sales tax revenues and used by Tahoe Transportation District (TTD) for transit operations in the Lake Tahoe area of El Dorado County.

Staff recommends the Governing Board adopt the attached resolution (Attachment A) approving the allocation of FY 2022-2023 Local Transportation Funds to Tahoe Transportation District.

Required Motion:

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

- 1) A motion to approve the proposed resolution as shown in Attachment A

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

Background:

As the designated RTPA for the California portion of the Tahoe Region, TRPA has the responsibility for administering the funds that are provided by the Transportation Development Act (TDA). TDA provides two funding sources that are intended to support and develop transportation services. These funds are the Local Transportation Fund (LTF) and the State Transit Assistance (STA) fund.

TDA legislation provides financial support for public transportation through the LTF, which is derived from a $\frac{1}{4}$ cent of the general sales tax collected statewide. The State Board of Equalization, based on sales tax collected in each county, returns the general sales tax revenues to each county's LTF. These

funds are deposited in a local transportation fund. RTPAs administer these funds within their areas of jurisdiction based upon population and the priorities set by the TDA.

As required by the TDA, the El Dorado County Auditor/Controller Office has notified TRPA of the LTF monies available for allocation within the El Dorado County portion of the Tahoe Region.

Following the priorities set by the TDA, TRPA has allocated LTF monies for its costs of administering the TDA programs in the Region and for its transportation planning functions. These costs are prorated to El Dorado County and to Tahoe Transportation District for the El Dorado County portion. The allocations of these funds to TRPA have been acted upon separately.

Staff determined that the allocation of FY 2022-2023 LTF funds to the Tahoe Regional Planning Agency designated to the Administration and Planning of the Transportation Development Act program is \$75,000.

After the costs for administration and planning have been considered, there is an estimated \$1,695,153 of LTF funding available for use within the El Dorado County portion of the Tahoe Region. El Dorado County has submitted a claim (available at https://www.trpa.gov/wp-content/uploads/documents/TTD_Final-FY23-Claim-Packet-executed-sent-11-7-22.pdf) to TRPA to program 100 percent of these funds for the operating costs of the TTD system, which provides public transit services in El Dorado County within the Tahoe Region. Staff has reviewed the claim and found it to be consistent with the TDA rules and regulations, and also consistent with the goals and policies of the Regional Transportation Plan. The El Dorado County LTF claim will be forwarded to the El Dorado County Auditor Controller Office for release of funds once the allocation is approved.

The table below shows the Local Transportation Fund allocation for the previous four years for El Dorado County.

El Dorado County - Local Transportation Fund Allocations			
FY 18-19	FY 19-20	FY 20-21	FY 21-22
\$ 984,117	\$1,024,127	\$911,254	\$1,388,584

Regional Plan Compliance:

The proposed allocation of funds complies with all requirements of the State of California TDA rules and regulations and will help to further the objectives of the TRPA Regional Plan Goals and Policies.

Contact Information:

For questions regarding this agenda item, please contact Kira Smith at (775) 589-5236 or ksmith@trpa.gov.

Attachment:

- A. Resolution

Attachment A

Resolution

OPERATIONS AND GOVERNANCE
COMMITTEE AGENDA ITEM NO. 8 &
CONSENT CALENDAR ITEM NO. 6

TAHOE REGIONAL PLANNING AGENCY
TRPA RESOLUTION NO. 2022 -

**A RESOLUTION ALLOCATING FY 2022-2023 LOCAL TRANSPORTATION FUNDS OF
\$1,695,153 TO TAHOE TRANSPORTATION DISTRICT FOR TRANSIT OPERATIONS IN THE EL
DORADO COUNTY PORTION OF TAHOE REGION**

WHEREAS, the Tahoe Regional Planning Agency (TRPA) was designated by the State of California as the Regional Transportation Planning Agency (RTPA) for the Lake Tahoe Region; and

WHEREAS, the RTPA is responsible for allocating the Local Transportation Funds (LTF) for the Tahoe Region; and

WHEREAS, the amount of FY 2022-2023 LTF funds available for allocation within the El Dorado County portion of the Tahoe Region is \$1,695,153; and

WHEREAS, TRPA has received a claim from Tahoe Transportation District (TTD) for the allocation of these funds for transit operating assistance to the Tahoe Transportation District (TTD) system within El Dorado County area of the Tahoe Region; and

WHEREAS, the claim submitted by Tahoe Transportation District was reviewed and found to be consistent with the Transportation Development Act Rules and Regulations; and

WHEREAS, the provision of public transit operations by Tahoe Transportation District is consistent with TRPA Regional Transportation Plan Goals and Policies; and

NOW THEREFORE, BE IT RESOLVED that the Governing Board of the Tahoe Regional Planning Agency authorizes the release of FY 2022-2023 LTF in the amount of \$1,695,153 to Tahoe Transportation District to provide for transit operating assistance in the El Dorado County portion of the Tahoe Region

PASSED and ADOPTED by the Governing Board of the Tahoe Regional Planning Agency this 16th day of November 2022, by the following vote:

Ayes:

Nays:

Absent:

Cindy Gustafson, Chair
Tahoe Regional Planning Agency
Governing Board

OPERATIONS AND GOVERNANCE
COMMITTEE AGENDA ITEM NO. 8 &
CONSENT CALENDAR ITEM NO. 6



STAFF REPORT

Date: November 9, 2022

To: TRPA Governing Board

From: TRPA Staff

Subject: Approval of the Estimated Allocations of the FY 2022-2023 State Transit Assistance funds of \$757,084 to the Tahoe Transportation District

Summary and Staff Recommendation:

Tahoe Regional Planning Agency (TRPA) Governing Board adoption of the attached resolution approving the release of the FY 2022-2023 State Transit Assistance (STA) funds in the estimated amount of \$757,084 to Tahoe Transportation District (TTD) for transit operations in the El Dorado County portion of the Tahoe Region.

Staff recommends Governing Board adopt the attached resolution (Attachment A) approving the release of the allocation of FY 2022-2023 to Tahoe Transportation District.

Required Motion:

In order to adopt the proposed resolution, the Board must make the following motion based on this staff report:

1. A motion to approve the proposed resolution (Attachment A).

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

Background:

TRPA is designated by the State of California as the Regional Transportation Planning Agency (RTPA) for the California portion of the Tahoe Region. Under this designation, TRPA is responsible for the administration of the Transportation Development Act (TDA) funds that are made available to support public transportation services. The TDA legislation provides two funding sources: The Local Transportation Fund (LTF) and the State Transit Assistance (STA) fund.

The STA fund was created under Chapter 161 of the Statutes of 1979 (SB 620) and has been revised over the years. The fund provides a second source of TDA funding for transportation planning and mass transportation purposes, which is derived from the statewide sales tax on diesel fuel. The money is appropriated to the Controller by the Legislature, to be allocated by formula to each RTPA. The formula allocates 50 percent of the funds according to population and the remaining 50 percent are allocated

according to operator revenues from the prior year. STA allocations are deposited in each RTPA's state transit assistance fund.

On August 1, 2022, the California State Controller's Office notified TRPA that the final estimated available allocation was for \$1,395,894. TRPA staff determined that El Dorado County was eligible for \$757,084, and notified Tahoe Transportation District, the transit operator for the Tahoe Region of El Dorado County, of their funding allocation. TTD has submitted a claim package to TRPA (available at https://www.trpa.gov/wp-content/uploads/documents/TTD_Final-FY23-Claim-Packet-executed-Sept-1.pdf) to request funding for the Tahoe Transportation District. TRPA staff has reviewed the claim and found it to be consistent with the TDA rules and regulations, and also consistent with the goals and policies of the Regional Transportation Plan. The Transportation Development Act findings of Subsection 6754(a) and (b) have been made as identified in the Resolution. The Tahoe Transportation District's STA claim will be forwarded to the El Dorado County Auditor Controller's Office for release of funds once the allocation is approved.

The breakdown of the FY 2022-2023 estimated funds to be allocated are as follows:

STA Allocation (99313) Fund	\$1,320,141.00
STA Direct Allocation (99314) Fund (TTD only)	<u>\$75,753.00</u>
TRPA's Final Estimated Allocation	\$1,395,894.00
TART - Placer County (99313) (48.39%)	\$638,810.00
TTD- South Shore Transit System (99313) (51.61%)	<u>\$681,331.00</u>
TRPA's Final 99313 Allocation	\$1,320,141.00
TTD STA Allocation (99313) Fund	\$681,331.00
TTD STA Direct Allocation (99314) Fund	<u>\$75,753.00</u>
TTD's Final Estimated FY23 Allocation	\$757,084.00

Issues/Concerns:

The proposed allocation of STA funds to Tahoe Transportation District does not have any known issues or concerns.

Regional Plan Compliance:

The proposed allocation of funds complies with all requirements of the State of California TDA rules and regulations and will help to further the objectives of the TRPA Regional Plan Goals and Policies.

Contact Information:

For questions regarding this agenda item, please contact Kira Smith at (775) 589-5236 or ksmith@trpa.gov.

Attachments:

- A. Resolution

Attachment A

Resolution

OPERATIONS AND GOVERNANCE
COMMITTEE AGENDA ITEM NO. 9 &
CONSENT CALENDAR ITEM NO. 7

TAHOE REGIONAL PLANNING AGENCY
TRPA RESOLUTION NO. 2022 -

A RESOLUTION APPROVING THE ALLOCATION OF FY 2022-2023 STATE TRANSIT ASSISTANCE FUNDS OF \$757,084 TO TAHOE TRANSPORTATION DISTRICT FOR TRANSIT OPERATIONS IN THE EL DORADO COUNTY PORTION OF THE TAHOE REGION

WHEREAS, the Tahoe Regional Planning Agency (TRPA) is designated by the State of California as the Regional Transportation Planning Agency (RTPA) for the California portion of the Tahoe Region, and is responsible for allocating State Transit Assistance (STA) for the Tahoe Region; and

WHEREAS, the STA fund is a discretionary fund and may be allocated at the discretion of the Regional Transportation Planning Agency for public transportation purposes; and

WHEREAS, there are STA funds in the amount of \$1,395,894 available to eligible claimants in the Tahoe Region for FY 2022-2023; and

WHEREAS, TRPA has received a claim for STA funds from Tahoe Transportation District for \$757,084, to provide transit services through the El Dorado County area of the Tahoe Region; and

WHEREAS, the required findings of the Transportation Development Act Rules and Regulations Article 5, Section 6754 are made as follows:

Subsection 6754 (a):

1. The claimant's proposed expenditures are in conformance with the Regional Transportation Plan
2. The level of passenger fares and applied local funds is sufficient to enable the transit claimant to meet the fare revenue requirements applicable to the claimant
3. The claimant is making full use of federal funds available under Urban Mass Transportation Act of 1964, as amended
4. The sum of the claimant's allocations from Local Transportation Funds and STA funds does not exceed the amount the claimant is eligible to receive during the fiscal year
5. Priority consideration was given to claims to offset reductions in federal operating assistance and unanticipated increased costs for fuel, to enhance existing public transportation services, and to meet high priority regional public transportation needs

Subsection 6754(b):

1. The operator has made a reasonable effort to implement any recommended productivity improvements
2. The operator has submitted certification that the claimant is in compliance with Section 1808.1 of the Vehicle Code

OPERATIONS AND GOVERNANCE
COMMITTEE AGENDA ITEM NO. 9 &
CONSENT CALENDAR ITEM NO. 7

3. The operator is in compliance with the eligibility requirements of Public Utilities Code section 99314.6 or 99314.7

NOW THEREFORE, BE IT RESOLVED that the Governing Board of the Tahoe Regional Planning Agency authorizes the release of FY 2022-2023 STA funds in the estimated amount of \$757,084 along with interest earned to be allocated based upon the total most current FY 2022-2023 board approved estimated amounts to El Dorado County, to provide transit operating assistance in the El Dorado County portion of the Tahoe Region

PASSED and ADOPTED by the Governing Board of the Tahoe Regional Planning Agency this 16th day of November 2022, by the following vote:

Ayes:

Nays:

Absent:

Cindy Gustafson, Chair
Tahoe Regional Planning Agency
Governing Board

OPERATIONS AND GOVERNANCE
COMMITTEE AGENDA ITEM NO. 9 &
CONSENT CALENDAR ITEM NO. 7



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Contact

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STAFF REPORT

Date: November 9, 2022

To: TRPA Governing Board

From: TRPA Staff

Subject: Approval of the allocation of FY 2022-2023 State of Good Repair funds of \$95,555 to the Tahoe Transportation District for a preventative maintenance project

Summary and Staff Recommendation:

Tahoe Regional Planning Agency (TRPA) Governing Board adoption of the attached resolution approving the release of FY 2022-2023 State of Good Repair Account (SGR) funds to the Tahoe Transportation District (TTD) in the amount of \$95,555 for a preventative maintenance project.

Staff recommends Governing Board adopt the attached resolution (Attachment A) approving the allocation of FY 2022-2023 SGR funds to the TTD.

Required Motion:

In order to adopt the proposed resolution, the Board must make the following motion based on this staff report:

1. A motion to approve the proposed resolution (Attachment A).

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

Background:

The Road Repair and Accountability Act of 2017, Senate Bill (SB) 1 (Chapter 5, Statutes of 2017), was signed by the Governor of California on April 28, 2017. SB1 includes a program that will provide additional revenues for transit infrastructure repair and service improvements and is referred to as the State of Good Repair program. This program provides funding of approximately \$105 million annually to the State Transit Assistance (STA) Account. These funds are to be made available for eligible transit maintenance, rehabilitation and capital projects.

Discussion:

The State of California has set the application process for the State of Good Repair program. The total estimated available amount allocated to TRPA for FY 2022-2023, is \$176,182.

Placer County - TART	\$80,627.00
TTD - South Shore Transit System	<u>\$95,555.00</u>
Total:	\$176,182.00

OPERATIONS AND GOVERNANCE
COMMITTEE AGENDA ITEM NO. 10 &
CONSENT CALENDAR ITEM NO. 8

TRPA's FY 2022-2023 estimated allocation from Public Utilities Code (PUC) 99313, is \$166,621. Both Tahoe Truckee Area Regional Transit (TART) and Tahoe Transportation District, as the local transit operators for the Tahoe Region, are eligible for these funds. Placer County and TTD support TRPA's percentage split for the disbursement of the funds, which is consistent with the percentages utilized for the allocation of transportation funding sources in California.

The funds for Public Utilities Code (PUC) 99313 will be allocated as follows:

Placer County- TART (99313) (48.39%):	\$80,627.00
TTD- South Shore Transit System (99313) (51.61%):	<u>\$85,994.00</u>
Total:	\$166,621.00

TTD will additionally receive direct allocation from Public Utilities Code (PUC) 99314 in the amount of \$9,561.

TTD- South Shore Transit System (99313)	\$85,994.00
TTD- South Shore Transit System (99314)	<u>\$ 9,561.00</u>
Total:	\$95,555.00

Placer County's direct allocation from Public Utilities Code (PUC) 99314 is received through Placer County's allocation outside the Tahoe Region.

Funding for this allocation will be directed by Caltrans Division of Mass Transportation, in quarterly payments, through the State Controller's Office, after approval of TTD's project list, which has been submitted to Caltrans, and marked as eligible to the State Controller's Office.

Issues/Concerns:

The proposed allocation of funds does not have any known issues or concerns.

Regional Plan Compliance:

The proposed resolution complies with all requirements of the TRPA Goals and Policies and Regional Transportation Plan.

Contact Information:

For questions regarding this agenda item, please contact, Kira Smith at (775) 589-5236 or ksmith@trpa.gov.

Attachment:

- A. Resolution

Attachment A

Resolution

KS/

OPERATIONS AND GOVERNANCE
COMMITTEE AGENDA ITEM NO. 10 &
CONSENT CALENDAR ITEM NO. 8

**TAHOE REGIONAL PLANNING AGENCY
TRPA RESOLUTION NO. 2022 –**

A RESOLUTION ALLOCATING FY 2022-2023 FUNDING FROM THE STATE OF GOOD REPAIR ACCOUNT (SGR) FOR \$95,555 TO THE TAHOE TRANSPORTATION DISTRICT FOR A PREVENTATIVE MAINTENANCE PROJECT

WHEREAS, the Tahoe Regional Planning Agency (TRPA) was designated by the State of California as the Regional Transportation Planning Agency (RTPA) for the Lake Tahoe Region; and

WHEREAS, the RTPA is responsible for allocating the State Transit Assistance funding from the State of Good Repair Account Fund (SGR) for the Tahoe Region; and

WHEREAS, there are SGR funds in the amount of \$176,182 available to eligible claimants in the Tahoe Region for FY 2022-2023; and

WHEREAS, the amount of FY 2022-2023 SGR available for allocation within the El Dorado County portion of the Tahoe Region is \$95,555; and

WHEREAS, TRPA has received a claim from Tahoe Transportation District for the allocation of these funds for a preventative maintenance project to the Tahoe Transportation District (TTD) system within El Dorado County area of the Tahoe Region; and

WHEREAS, TRPA has received a claim from Tahoe Transportation District for the allocation of these funds to use towards a preventative maintenance project; and

WHEREAS, the claim submitted by Tahoe Transportation District was reviewed and found to be consistent with the Transportation Development Act Rules and Regulations; and

WHEREAS, the provision of public transit operations by Tahoe Transportation District is consistent with TRPA Regional Transportation Plan Goals and Policies.

NOW THEREFORE, BE IT RESOLVED that the Governing Board of the Tahoe Regional Planning Agency authorizes the release of FY 2022-2023 State of Good Repair funds in the amount of \$95,555 along with interest earned to be allocated based upon the total most current FY 2022-2023 board approved estimated amounts to Tahoe Transportation District, to provide funding for a preventative maintenance project.

OPERATIONS AND GOVERNANCE
COMMITTEE AGENDA ITEM NO. 10 &
CONSENT CALENDAR ITEM NO. 8

PASSED AND ADOPTED by the Governing Board of the Tahoe Regional Planning Agency at its regular meeting held on November 16, 2022, by the following vote:

Ayes:

Nays:

Absent:

Cindy Gustafson, Chair
Tahoe Regional Planning Agency
Governing Board

KS/

OPERATIONS AND GOVERNANCE
COMMITTEE AGENDA ITEM NO. 10 &
CONSENT CALENDAR ITEM NO. 8



**TAHOE
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Contact

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STAFF REPORT

Date: November 9, 2022
To: TRPA Governing Board
From: TRPA Staff
Subject: Approval of Estimated Allocation of FY 2022-2023 Local Transportation Funds of \$939,480 to Tahoe Truckee Area Regional Transit (TART)

Summary and Staff Recommendation:

Tahoe Regional Planning Agency (TRPA) Governing Board adoption of the attached resolution approving the release of FY 2022-2023 Local Transportation Funds to Placer County in the amount of \$939,480 for transit operations within the Placer County portion of the Tahoe Region. TRPA, acting as the California Regional Transportation Planning Agency (RTPA), authorizes distribution of annual funding allocations from California Transportation Development Act (TDA) Local Transportation Fund (LTF) which is derived from ¼ cent general sales tax revenues and used by Tahoe Truckee Area Regional Transit (TART) for transit operations in the Lake Tahoe area of Placer County.

Staff recommends the Governing Board adopt the attached resolution (Attachment A) approving the allocation of FY 2022-2023 Local Transportation Funds to Placer County.

Required Motion:

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

- 1) A motion to approve the proposed resolution as shown in Attachment A

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

Background:

As the designated RTPA for the California portion of the Tahoe Region, TRPA has the responsibility for administering the funds that are provided by the Transportation Development Act (TDA). TDA provides two funding sources that are intended to support and develop transportation services. These funds are the Local Transportation Fund (LTF) and the State Transit Assistance (STA) fund.

TDA legislation provides financial support for public transportation through the LTF, which is derived from a ¼ cent of the general sales tax collected statewide. The State Board of Equalization, based on sales tax collected in each county, returns the general sales tax revenues to each county's LTF. These

funds are deposited in a local transportation fund. RTPAs administer these funds within their areas of jurisdiction based upon population and the priorities set by the TDA.

As required by the TDA, the Placer County Auditor/Controller Office has notified TRPA of the LTF monies available for allocation within the Placer County portion of the Tahoe Region.

Following the priorities set by the TDA, TRPA has allocated LTF monies for its costs of administering the TDA programs in the Region and for its transportation planning functions. These costs are prorated to Placer County and to Tahoe Transportation District for the El Dorado County portion. The allocations of these funds to TRPA have been acted upon separately.

Staff determined that the allocation of FY 2022-2023 LTF funds to the Tahoe Regional Planning Agency designated to the Administration and Planning of the Transportation Development Act program is \$75,000.

After the costs for administration and planning have been considered, there is \$939,480 of LTF available for use within the Placer County portion of the Tahoe Region. Placer County has submitted a claim (available at https://www.trpa.gov/wp-content/uploads/documents/PLACER-TDA-TRPA-Claims-Full-Packet-with-Attachments_FINAL.pdf) to TRPA to program 100 percent of these funds for the operating costs of the TART system, which provides public transit services in Placer County within the Tahoe Region. Staff has reviewed the claim and found it to be consistent with the TDA rules and regulations, and also consistent with the goals and policies of the Regional Transportation Plan. The Placer County LTF claim will be forwarded to the Placer County Auditor Controller Office for release of funds once the allocation is approved.

The table below shows the Local Transportation Fund allocation for the previous four years for Placer County.

Placer County - Local Transportation Fund Allocations			
FY 18-19	FY 19-20	FY 20-21	FY 21-22
\$ 680,050	\$836,934	\$534,163	\$1,070,024

Regional Plan Compliance:

The proposed allocation of funds complies with all requirements of the State of California TDA rules and regulations and will help to further the objectives of the TRPA Regional Plan Goals and Policies.

Contact Information:

For questions regarding this agenda item, please contact Kira Smith at (775) 589-5236 or ksmith@trpa.gov.

Attachment:

- A. Resolution

Attachment A

Resolution

OPERATIONS AND GOVERNANCE
COMMITTEE AGENDA ITEM NO. 11 &
CONSENT CALENDAR ITEM NO. 9

TAHOE REGIONAL PLANNING AGENCY
TRPA RESOLUTION NO. 2022 -

**A RESOLUTION ALLOCATING FY 2022-2023 LOCAL TRANSPORTATION FUNDS OF
\$939,480 TO PLACER COUNTY FOR TRANSIT OPERATIONS IN THE PLACER COUNTY PORTION OF
TAHOE REGION**

WHEREAS, the Tahoe Regional Planning Agency (TRPA) was designated by the State of California as the Regional Transportation Planning Agency (RTPA) for the Lake Tahoe Region; and

WHEREAS, the RTPA is responsible for allocating the Local Transportation Funds (LTF) for the Tahoe Region; and

WHEREAS, the amount of FY 2022-2023 LTF available for allocation within the Placer County portion of the Tahoe Region is \$939,480; and

WHEREAS, TRPA has received a claim from Tahoe Truckee Area Regional Transit (TART) for the allocation of these funds for transit operating assistance to the Tahoe Truckee Area Regional Transit (TART) system within Placer County area of the Tahoe Region; and

WHEREAS, the claim submitted by Tahoe Truckee Area Regional Transit was reviewed and found to be consistent with the Transportation Development Act Rules and Regulations; and

WHEREAS, the provision of public transit operations by Tahoe Truckee Area Regional Transit is consistent with TRPA Regional Transportation Plan Goals and Policies

NOW THEREFORE, BE IT RESOLVED that the Governing Board of the Tahoe Regional Planning Agency authorizes the release of FY 2022-2023 LTF in the amount of \$939,480 to Tahoe Truckee Area Regional Transit to provide for transit operating assistance in the Placer County portion of the Tahoe Region

PASSED and ADOPTED by the Governing Board of the Tahoe Regional Planning Agency this 16th day of November 2022, by the following vote:

Ayes:

Nays:

Absent:

Cindy Gustafson, Chair
Tahoe Regional Planning Agency
Governing Board

OPERATIONS AND GOVERNANCE
COMMITTEE AGENDA ITEM NO. 11 &
CONSENT CALENDAR ITEM NO. 9



STAFF REPORT

Date: November 9, 2022

To: TRPA Governing Board

From: TRPA Staff

Subject: Approval of Estimated Allocations of the FY 2022-2023 State Transit Assistance funds of \$638,810 to the Tahoe Truckee Area Regional Transit (TART)

Summary and Staff Recommendation:

Tahoe Regional Planning Agency (TRPA) Governing Board adoption of the attached resolution approving the release of the FY 2022-2023 State Transit Assistance (STA) funds in the estimated amount of \$638,810 to Tahoe Truckee Area Regional Transit for transit operations in the Placer County portion of the Tahoe Region.

Staff recommends Governing Board adopt the attached resolution (Attachment A) approving the release of the allocation of FY 2022-2023 to Tahoe Truckee Area Regional Transit.

Required Motion:

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

1. A motion to approve the proposed resolution (Attachment A).

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

Background:

TRPA is designated by the State of California as the Regional Transportation Planning Agency (RTPA) for the California portion of the Tahoe Region. Under this designation, TRPA is responsible for the administration of the Transportation Development Act (TDA) funds that are made available to support public transportation services. The TDA legislation provides two funding sources: The Local Transportation Fund (LTF) and the State Transit Assistance (STA) fund.

The STA fund was created under Chapter 161 of the Statutes of 1979 (SB 620) and has been revised over the years. The fund provides a second source of TDA funding for transportation planning and mass transportation purposes, which is derived from the statewide sales tax on diesel fuel. The money is appropriated to the Controller by the Legislature, to be allocated by formula to each RTPA. The formula allocates 50 percent of the funds according to population and the remaining 50 percent are allocated according to operator revenues from the prior year. STA allocations are deposited in each RTPA's state transit assistance fund.

KS/

OPERATIONS AND GOVERNANCE
COMMITTEE AGENDA ITEM NO. 12 &
CONSENT CALENDAR ITEM NO. 10

On August 1, 2022, the California State Controller's Office notified TRPA that the final estimated available allocation is for \$1,395,894. TRPA staff determined that Placer County was eligible for \$638,810, and notified Tahoe Truckee Area Regional Transit (TART), the transit operator for the Tahoe Region of Placer County, of their funding allocation. TART has submitted a claim package to TRPA (available at https://www.trpa.gov/wp-content/uploads/documents/PLACER-TDA-TRPA-Claims-Full-Packet-with-Attachments_FINAL.pdf). to request the funding for Placer County. TRPA staff has reviewed the claim and found it to be consistent with the TDA rules and regulations, and also consistent with the goals and policies of the Regional Transportation Plan. The Transportation Development Act findings of Subsection 6754(a) and (b) have been made as identified in the Resolution. The TART STA claim will be forwarded to the El Dorado County Auditor Controller's Office for release of funds once the allocation is approved.

The breakdown of the FY 2022-2023 estimated funds to be allocated are as follows:

STA Allocation (99313) Fund	\$1,320,141.00
STA Direct Allocation (99314) Fund (TTD only)	<u>\$75,753.00</u>
TRPA's Final Estimated Allocation	\$1,395,894.00
TART - Placer County (99313) (48.39%)	\$638,810.00
TTD- South Shore Transit System (99313) (51.61%)	<u>\$681,331.00</u>
TRPA's Final 99313 Allocation	\$1,320,141.00
TART- Placer County:	\$638,810.00
TTD- South Shore Transit System:	<u>\$757,753.00</u>
Total:	\$1,395,894.00

Issues/Concerns:

The proposed allocation of STA funds to Tahoe Truckee Area Regional Transit does not have any known issues or concerns.

Regional Plan Compliance:

The proposed allocation of funds complies with all requirements of the State of California TDA rules and regulations and will help to further the objectives of the TRPA Regional Plan Goals and Policies.

Contact Information:

For questions regarding this agenda item, please contact, Kira Smith at (775) 589-5236 or ksmith@trpa.gov.

Attachment:

A. Resolution

KS/

OPERATIONS AND GOVERNANCE
COMMITTEE AGENDA ITEM NO. 12
CONSENT CALENDAR ITEM NO. 10

Attachment A

Resolution

KS/

OPERATIONS AND GOVERNANCE
COMMITTEE AGENDA ITEM NO. 12
CONSENT CALENDAR ITEM NO. 10

**TAHOE REGIONAL PLANNING AGENCY
TRPA RESOLUTION NO. 2022 -**

A RESOLUTION APPROVING THE ALLOCATION OF FY 2022-2023 STATE TRANSIT ASSISTANCE FUNDS OF \$638,810 TO TAHOE TRUCKEE AREA REGIONAL TRANSIT FOR TRANSIT OPERATIONS IN THE PLACER COUNTY PORTION OF THE TAHOE REGION

WHEREAS, the Tahoe Regional Planning Agency (TRPA) is designated by the State of California as the Regional Transportation Planning Agency (RTPA) for the California portion of the Tahoe Region, and is responsible for allocating State Transit Assistance (STA) for the Tahoe Region; and

WHEREAS, the STA fund is a discretionary fund and may be allocated at the discretion of the Regional Transportation Planning Agency for public transportation purposes; and

WHEREAS, there are STA funds in the amount of \$1,395,894 available to eligible claimants in the Tahoe Region for FY 2022-2023; and

WHEREAS, TRPA has received a claim for STA funds from Tahoe Truckee Area Regional Transit for \$638,810, to provide transit services through the Placer County area of the Tahoe Region; and

WHEREAS, the required findings of the Transportation Development Act Rules and Regulations Article 5, Section 6754 are made as follows:

Subsection 6754 (a):

1. The claimant's proposed expenditures are in conformance with the Regional Transportation Plan
2. The level of passenger fares and applied local funds is sufficient to enable the transit claimant to meet the fare revenue requirements applicable to the claimant
3. The claimant is making full use of federal funds available under Urban Mass Transportation Act of 1964, as amended
4. The sum of the claimant's allocations from Local Transportation Funds and STA funds does not exceed the amount the claimant is eligible to receive during the fiscal year
5. Priority consideration was given to claims to offset reductions in federal operating assistance and unanticipated increased costs for fuel, to enhance existing public transportation services, and to meet high priority regional public transportation needs

Subsection 6754(b):

1. The operator has made a reasonable effort to implement any recommended productivity improvements
2. The operator has submitted certification that the claimant is in compliance with Section 1808.1 of the Vehicle Code

KS/

OPERATIONS AND GOVERNANCE
COMMITTEE AGENDA ITEM NO. 12
CONSENT CALENDAR ITEM NO. 10

3. The operator is in compliance with the eligibility requirements of Public Utilities Code section 99314.6 or 99314.7

NOW THEREFORE, BE IT RESOLVED that the Governing Board of the Tahoe Regional Planning Agency authorizes the release of FY 2022-2023 STA funds in the estimated amount of \$638,810 along with interest earned to be allocated based upon the total most current FY 2022-2023 board approved estimated amounts to Tahoe Truckee Area Regional Transit, to provide transit operating assistance in the Placer County portion of the Tahoe Region

PASSED and ADOPTED by the Governing Board of the Tahoe Regional Planning Agency this 16th day of November 2022, by the following vote:

Ayes:

Nays:

Absent:

Cindy Gustafson, Chair
Tahoe Regional Planning Agency
Governing Board

KS/

OPERATIONS AND GOVERNANCE
COMMITTEE AGENDA ITEM NO. 12
CONSENT CALENDAR ITEM NO. 10



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STAFF REPORT

Date: November 9, 2022

To: TRPA Governing Board

From: TRPA Staff

Subject: Approval of the allocation of FY 2022-2023 State of Good Repair funds of \$80,627 to the Tahoe Truckee Area Regional Transit for preventative maintenance and the purchase of two transit buses.

Summary and Staff Recommendation:

Tahoe Regional Planning Agency (TRPA) Governing Board adoption of the attached resolution approving the release of FY 2022-2023 State of Good Repair Account (SGR) funds to the Tahoe Truckee Area Regional Transit (TART) in the amount of \$80,627 for preventative maintenance and support for the purchase of two transit buses.

Staff recommends Governing Board adopt the attached resolution (Attachment A) approving the allocation of FY 2022-2023 SGR funds to the TART.

Required Motion:

In order to adopt the proposed resolution, the Board must make the following motion based on this staff report:

1. A motion to approve the proposed resolution (Attachment A).

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

Background:

The Road Repair and Accountability Act of 2017, Senate Bill (SB) 1 (Chapter 5, Statutes of 2017), was signed by the Governor of California on April 28, 2017. SB1 includes a program that will provide additional revenues for transit infrastructure repair and service improvements and is referred to as the State of Good Repair program. This program provides funding of approximately \$105 million annually to the State Transit Assistance (STA) Account. These funds are to be made available for eligible transit maintenance, rehabilitation and capital projects.

Discussion:

The State of California has set the application process for the State of Good Repair program. The total available amount allocated to TRPA for FY 2022-2023, is \$176,182.

Placer County - TART	\$80,627.00
TTD - South Shore Transit System	<u>\$95,555.00</u>
Total:	\$176,182.00

TRPA's FY 2022-2023 estimated allocation from Public Utilities Code (PUC) 99313, is \$166,621. Both Tahoe Truckee Area Regional Transit and Tahoe Transportation District, as the local transit operators for the Tahoe Region, are eligible for these funds. Placer County and TART support TRPA's percentage split for the disbursement of the funds, which is consistent with the percentages utilized for the allocation of transportation funding sources in California.

The funds for Public Utilities Code (PUC) 99313 will be allocated as follows:

Placer County- TART (99313) (48.39%):	\$80,627.00
TTD- South Shore Transit System (99313) (51.61%):	<u>\$85,994.00</u>
Total:	\$166,621.00

TTD will additionally receive direct allocation from Public Utilities Code (PUC) 99314 in the amount of \$9,561 bringing their total to \$95,555.

Placer County's direct allocation from Public Utilities Code (PUC) 99314 is received through Placer County's allocation outside the Tahoe Region.

Funding for this allocation will be directed by Caltrans Division of Mass Transportation, in quarterly payments, through the State Controller's Office, after approval of TART's project list, which has been submitted to Caltrans, and marked as eligible to the State Controller's Office.

Issues/Concerns:

The proposed allocation of funds does not have any known issues or concerns.

Regional Plan Compliance:

The proposed resolution complies with all requirements of the TRPA Goals and Policies and Regional Transportation Plan.

Contact Information:

For questions regarding this agenda item, please contact Kira Smith at (775) 589-5236 or ksmith@trpa.gov.

Attachment:

A. Resolution

Attachment A

Resolution

OPEATIONS AND GOVERNANCE
COMMITTEE AGENDA ITEM NO. 13 &
CONSENT CALENDAR ITEM NO. 11

**TAHOE REGIONAL PLANNING AGENCY
TRPA RESOLUTION NO. 2022 –**

A RESOLUTION ALLOCATING FY 2022-2023 FUNDING FROM THE STATE OF GOOD REPAIR ACCOUNT (SGR) FOR \$80,627 TO THE TAHOE TRUCKEE AREA REGIONAL TRANSIT FOR PREVENTATIVE MAINTENANCE AND THE PURCHASE OF TWO TRANSIT BUSES

WHEREAS, the Tahoe Regional Planning Agency (TRPA) was designated by the State of California as the Regional Transportation Planning Agency (RTPA) for the Lake Tahoe Region; and

WHEREAS, the RTPA is responsible for allocating the State Transit Assistance funding from the State of Good Repair Account Fund (SGR) for the Tahoe Region; and

WHEREAS, there are SGR funds in the amount of \$176,182 available to eligible claimants in the Tahoe Region for FY 2022-2023; and

WHEREAS, the amount of FY 2022-2023 SGR available for allocation within the Placer County portion of the Tahoe Region is \$80,627; and

WHEREAS, TRPA has received a claim from Placer County for the allocation of these funds for transit operating assistance to the Tahoe Truckee Area Regional Transit (TART) system within Placer County area of the Tahoe Region; and

WHEREAS, TRPA has received a claim from Placer County for the allocation of these funds for preventative maintenance and support for the purchase of two transit buses; and

WHEREAS, the claim submitted by Placer County was reviewed and found to be consistent with the Transportation Development Act Rules and Regulations; and

WHEREAS, the provision of public transit operations by Placer County is consistent with TRPA Regional Transportation Plan Goals and Policies.

NOW THEREFORE, BE IT RESOLVED that the Governing Board of the Tahoe Regional Planning Agency authorizes the release of FY 2022-2023 State of Good Repair funds in the amount of \$80,627 along with interest earned to be allocated based upon the total most current FY 2022-2023 board approved estimated amounts to Placer County, to provide funding for the preventative maintenance and the purchase of two transit buses.

OPEATIONS AND GOVERNANCE
COMMITTEE AGENDA ITEM NO. 13 &
CONSENT CALENDAR ITEM NO. 11

PASSED AND ADOPTED by the Governing Board of the Tahoe Regional Planning Agency at its regular meeting held on November 16, 2022 by the following vote:

Ayes:

Nays:

Absent:

Cindy Gustafson, Chair
Tahoe Regional Planning Agency
Governing Board

OPEATIONS AND GOVERNANCE
COMMITTEE AGENDA ITEM NO. 13 &
CONSENT CALENDAR ITEM NO. 11



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STAFF REPORT

Date: November 9, 2022

To: TRPA Governing Board

From: TRPA Staff

Subject: Degnan/Struck/Hachman New Multiple-Parcel Pier, 5070, 5080, and 5090 West Lake Blvd., Placer County, California, Assessor's Parcel Numbers 097-122-024/-010, -025, & -027, TRPA File Number ERSP2022-0003

Summary and Staff Recommendation:

A new multiple-parcel pier is proposed on the west shore of Lake Tahoe in the Homewood area that will serve three lakefront properties located at 5070, 5080, and 5090 West Lake Blvd., Placer County, California. The length of the proposed pier is 132 feet (124 feet 4 four inches as measured from the high water line), with a width of 8 feet. The last 33 feet of the pier will be 10 feet wide with 3-foot wide catwalks on each side. The adjustable catwalks will be 30 feet long. The pier will extend to the pierhead line (to elevation 6216.7 feet), 24 feet past elevation 6,219 feet. The pier will straddle the property line located between 5080 and 5090 West Lake Boulevard. The proposed pier complies with development and location standards for multiple-parcel piers serving three littoral parcels. Staff recommends that the Governing Board make the required findings and approve the proposed project.

Required Motions:

In order to approve the proposed project, the Board must make the following motions, based on the staff report:

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

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

Shoreline Review Committee:

TRPA facilitates monthly Shoreline Review Committee (SRC) meetings for agencies with permitting jurisdiction along the shoreline and within Lake Tahoe to coordinate the permitting of projects. The subject project was reviewed at SRC on September 15, 2022. At the meeting, no substantial issues were raised with the proposed pier location or design.

Project Description/Background:

The project applicants received a multiple-parcel pier allocation during the 2021 new pier allocation distribution (ref. PREC2021-0805). The new multiple-parcel pier will serve three lakefront properties located at 5070, 5080, and 5090 West Lake Blvd., along the west shore of Lake Tahoe, in the Homewood area of Placer County, California. The pier includes signage to facilitate public access in the public trust.

The length of the proposed pier is 132 feet (124 feet 4 four inches as measured from the high water line), with a width of 8 feet. The last 33 feet of the pier will be 10 feet wide with 3-foot wide catwalks on each side. The adjustable catwalks will be 30 feet long. The pier will extend to the pierhead line (to elevation 6216.7 feet), 24 feet past elevation 6,219 feet. The pier will straddle the property line located between 5080 and 5090 West Lake Boulevard. The upland parcels both have existing single-family dwellings. The proposed project is located within the Placer County Tahoe Basin Area Plan, Homewood Residential Subdistrict, Shorezone Tolerance District 7, where piers are an allowed use. The pier complies with all development and location standards for a multiple-parcel pier serving three littoral parcels.

Recognition of a Multiple-Parcel Pier:

New multiple-parcel piers are subject to the deed restriction requirement in TRPA Code, Section 84.4.E, which states “An additional multiple-parcel pier shall extinguish future pier development potential through deed restriction on all parcels served by the pier, including adjacent and non-adjacent parcels, with the exception of the littoral parcel on which the additional pier is permitted.” The draft permit includes a condition requiring a deed restriction be recorded prior to TRPA acknowledgement of the permit.

Mooring Buoys:

There are six mooring buoys (two per parcel) located in the project area:

Chris Degnan, Shell Lane LLC

5070 West Lake Blvd. (APN 097-122-025)

- two mooring buoys (ref. BUOY2020-0263)

Laurie Struck

- **5080 West Lake Blvd. (APN 097-122-024 (lakefront)/ 097-122-010 (residential))***

**There are two taxable APNs, but one legal lot of record.*

- two mooring buoys (ref. BUOY2022-0059)

Elizabeth Hachman, Los Esteros Associates

5090 West Lake Blvd. (APN 097-122-027)

- two mooring buoys (ref. BUOY2020-0287)

Shoreline Plan:

The TRPA Governing Board adopted a new Shoreline Plan in October 2018, which went into effect in December 2018. New single-parcel and multiple-parcel piers are allowed as a part of the plan. A maximum of 128 piers will be distributed over the life of the plan, and every two years TRPA will distribute allocations for single-parcel and multiple-parcel piers. The project applicants received a multiple-parcel pier allocation during the 2021 new pier allocation distribution (ref. PREC2021-0805). Staff has analyzed the potential environmental impacts of the proposed pier and determined that it will not adversely affect the environment.

Scenic Quality:

The proposed project is located within Scenic Shoreline Unit 12, McKinney Bay, which is in attainment with the TRPA Scenic Threshold, and Scenic Roadway Unit 11, Homewood, which is not in attainment with the TRPA Scenic Threshold. The proposed pier will not be located in a Shorezone Preservation Area. Up to 460 square feet of visible mass (excludes the visible mass of a boat lift, watercraft on a boat lift, and other allowed accessory structures) is allowed for multiple-parcel piers serving three primary residential littoral parcels. The proposed pier/catwalks have a total Visual Mass of 189.5 square feet. The project area is located in a Visually Modified scenic character type, requiring mitigation of additional mass associated with a pier at a 1:2 ratio. This means that 379 square feet of visible mass must be mitigated within the project area. All three properties have visible area that is significantly less than their allowed visible area per the Visual Magnitude table. The applicants are proposing that 1/3 of the visible area from the pier be allocated towards each property. The parcels are required to score a minimum 25 points based on the Contrast Rating System no later than six months following project application submittal. All three parcels are currently in conformance. The new pier will be grey Trex or equivalent with flat black steel accessories.

Address	Contrast Rating Score	Allowed Visible Area (sq. ft.)	Existing Visible Area (sq. ft.)	Amount of Visible Area Retired for Pier (sq. ft.)	Remaining Visible Area (sq. ft.)
5070 W. Lake Blvd.	25	1,190	685	127	378
5080 W. Lake Blvd.	25	1,190	238	126	826
5090 W. Lake Blvd.	28	1,800	371	126	1,303

Fish Habitat:

The pier is located in areas mapped as Spawning and Feed-Cover Habitat. Lake bottom disturbance will be 12.1 square feet and will be mitigated at a ratio of 1.5:1 (as required by TRPA Code, Section 84.11) by the installation of a 4' x 5' area of 6" to 8" cobbles over an existing gravel substrate. The pier will be constructed using an open piling methodology, resulting in a pier that is 90 percent open. The pier will not be in a stream mouth protection zone.

Mitigation:

As required by Article 10 of the TRPA Rules of Procedures, which requires \$60.00 per foot be paid for additional pier length to mitigate the impacts of pier development, the draft permit includes a condition requiring the permittee pay a shorezone mitigation fee of \$7,920 for the construction of 132 additional feet of pier length. (refer to Attachment B – Draft Permit)

Deed Restriction:

The shorezone ordinance requires that an additional multiple-parcel pier extinguish future pier development potential through deed restriction on all parcels served by the pier, including adjacent and non-adjacent parcels, with the exception of the littoral parcel on which the additional pier is permitted. The three parcels associated with the project area will be deed restricted against future shorezone development.

Setbacks:

TRPA Code, Section 84.4.3.B, requires that new piers comply with a 40-foot setback from all other piers and be setback 20 feet from the outer-most parcel boundary projection lines associated with the project area. The proposed pier complies with these setback requirements.

Pier Length:

TRPA Code, Section 84.4.3.C states "Piers shall extend no farther lakeward than 30 feet lakeward of elevation 6,219 Lake Tahoe Datum or 60 feet lakeward of the pierhead line, whichever is more limiting. Up to an additional 15 feet in length may be permitted for piers serving three or more residential littoral parcels." The proposed pier will extend to the pierhead line (to elevation 6216.7 feet), 24 feet past elevation 6,219 feet.

Pier Access:

The pier will end within the gravel beach area along the lake. Access to the pier will be along the beach areas. The proposed pier project will create a total of 72 square feet of new land coverage in the backshore (coverage associated with the pier upland of the high water line). The permittee is required to transfer 108 square feet (ratio of 1.5 to 1) of Land Capability District (LCD) Class 1b restoration credits to the site, in accordance with TRPA Code Sections, 85.5.4, 85.5.1.E, and 30.5.3; 64.5, to mitigate the impacts of adding coverage in the backshore. All coverage transfers must be in compliance with Chapter 30 of the TRPA Code of Ordinances and the TRPA Rules of Procedure.

Best Management Practices:

All three parcels have Best Management Practices (BMP) certificates (#18899, #5093 and #3760).

Environmental Review:

The applicant completed an Initial Environmental Checklist (IEC) to assess the potential environmental impacts of the project. No significant long-term environmental impacts were identified because the proposed pier complies with the TRPA Code and incorporates required mitigation (fisheries and scenic). Additionally, the properties will be deed restricted limiting the subject properties to one shared pier, which will reduce overall development potential along the shoreline of Lake Tahoe. The IEC is provided as Attachment E.

Public Comment:

Property owners within 300 feet of the subject site were provided notice of the proposed project.

Regional Plan Compliance:

The proposed pier is consistent with the Goals and Policies of the Regional Plan, Shorezone Subelement, in that it complies with design standards and includes mitigation to ensure no negative impacts to the environmental thresholds. Furthermore, the proposed project is for a multiple-parcel pier, which are encouraged by the Regional Plan to reduce overall development potential along the shoreline of Lake Tahoe.

Project File:

The project file has been posted electronically on the Lake Tahoe Info Parcel Tracker and is available at:
<https://parcels.laketahoeinfo.org/AccelaCAPRecord/Detail/ERSP2022-0003>

Contact Information:

For questions regarding this agenda item, please contact Brandy McMahon, AICP, Local Government Coordinator, at (775) 589-5274 or bmcmahon@trpa.gov.

Attachments:

- A. Required Findings/Rationale
- B. Draft Permit
- C. Conformance Review Checklist
- D. Site Plans & Elevations
- E. Initial Environmental Checklist
- F. V(g) Findings

Attachment A

Required Findings/Rationale

Required Findings/Rationale
Degnan/Struck/Hachman New Multiple-Parcel Pier

Required Findings: The following is a list of the required findings as set forth in Chapters 4 and 80 of the TRPA Code of Ordinances. Following each finding, Agency staff has indicated if there is sufficient evidence contained in the record to make the applicable findings or has briefly summarized the evidence on which the finding can be made.

1. Chapter 4 – Required Findings:

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

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

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

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

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

TRPA is requiring that all potential environmental effects be mitigated through Best Management Practices, including the use of turbidity curtains during construction. The applicant is also required to obtain separate approval for the project from the U.S. Army Corps of Engineers, California Department of Fish and Wildlife, California State Lands Commission, and Placer County to ensure the project will meet or exceed all federal, state, or local standards. As a result, upon completion of construction, the project should have no impact upon air or water quality standards.

2. Chapter 80 – Shorezone Findings:

- (a) Significant Harm: The project will not adversely impact littoral processes, fish spawning habitat, backshore stability, or on-shore wildlife habitat, including waterfowl nesting areas.

There is no evidence in the project file that indicates the proposed project will adversely impact littoral processes (the pier will be constructed on pilings to allow for the free flow of water), fish habitat (as conditioned), backshore stability, or on-shore wildlife habitat, including waterfowl nesting areas.

- (b) Accessory Facilities: There are sufficient accessory facilities to accommodate the project.

The proposed multiple-parcel pier will be accessory to the primary upland residential uses located at 5070, 5080, and 5090 West Lake Blvd, Placer County, California.

- (c) Compatibility: The project is compatible with existing shorezone and lakezone uses or structures on, or in the immediate vicinity of, the littoral parcel; or that modifications of such existing uses or structures will be undertaken to assure compatibility.

The proposed pier complies with development and location standards for multiple-parcel piers serving three littoral parcels and is compatible with existing shorezone and lakezone uses or structures in the Homewood Residential Subdistrict.

- (d) Use: The use proposed in the foreshore or nearshore is water dependent.

The pier is located in the shorezone of Lake Tahoe and is therefore a water dependent structure.

- (e) Hazardous Materials: Measures will be taken to prevent spills or discharges of hazardous materials.

This approval prohibits the use of spray painting and the use of tributyltin (TBT). In addition, the special conditions of approval prohibit the discharge of petroleum products, construction waste and litter or earthen materials to the surface waters of Lake Tahoe. All surplus construction waste materials shall be removed from the project and deposited only at TRPA approved points of disposal. No containers of fuel, paint, or other hazardous materials may be stored on the pier or shoreline.

- (f) Construction: Construction and access techniques will be used to minimize disturbance to the ground and vegetation.

The new pier will be constructed and the project area accessed via barge in order to avoid unnecessary disturbance of the shorezone/backshore. Pile driving operations and other piling installation methods (i.e. pinning, etc.) shall require the installation of caissons for turbidity control upon the discretion of the TRPA inspector upon a pre-grade inspection.

A floating fine mesh fabric screen or other material approved by TRPA shall be installed underneath the pier decking to capture any fallen materials during pier demolition and reconstruction. The draft permit (Attachment B) includes conditions to ensure construction and access techniques will be used to minimize disturbance to the ground and vegetation, including Tahoe Yellow Cress.

- (g) [Navigation and Safety: The project will not adversely impact navigation or create a threat to public safety as determined by those agencies with jurisdiction over a lake's navigable waters.](#)

The pierhead line was established for the purpose of protecting navigation and safety. The proposed pier will not extend past the pierhead line. The project was taken to the Shoreline Review Committee on September 15, 2022, which includes agencies with jurisdiction over the lake's navigable waters and no concerns regarding navigation and safety were raised.

- (h) [Other Agency Comments: TRPA has solicited comments from those public agencies having jurisdiction over the nearshore and foreshore and all such comments received were considered by TRPA, prior to action being taken on the project.](#)

The project was taken to the Shoreline Review Committee on September 15, 2022, and no comments of concern were made. The applicants are required to get approval for the project from the U.S. Army Corps of Engineers, California Department of Fish and Wildlife, California State Lands Commission, and Placer County.

- (i) [Additional Findings for Coverage or Disturbance in the Backshore: The amount of land coverage is the minimum necessary when all Thresholds are taken into consideration to provide access to an approved or an existing structure or use in the nearshore or foreshore.](#)

The proposed pier has been designed to meet TRPA design standards for multiple-parcel piers and results in the minimum amount of land coverage necessary when all Thresholds are taken into consideration.

Attachment B

Draft Permit

Conditional Permit

PROJECT DESCRIPTION: Degnan/Struck/Hachman New Multiple-Parcel Pier APNs: 097-122-024/-010, -025 & -027

PERMITTEES: Chris Degnan, Laurie Struck, Elizabeth Hachman, & Sagan Design Group FILE #: ERSP2022-0003

COUNTY/LOCATION: Placer County/5070, 5080, & 5090 West Lake Blvd.

Having made the findings required by Agency ordinances and rules, the TRPA Governing Board approved the project on ____, 2022, subject to the standard conditions of approval attached hereto (Attachment S) and the special conditions found in this permit.

This permit shall expire on ____, 2025, without further notice unless the construction has commenced prior to this date and diligently pursued thereafter. Commencement of construction consists of pouring concrete for a foundation and does not include grading, installation of utilities or landscaping. Diligent pursuit is defined as completion of the project within the approved construction schedule. The expiration date shall not be extended unless the project is determined by TRPA to be the subject of legal action which delayed or rendered impossible the diligent pursuit of the permit.

NO DEMOLITION, CONSTRUCTION OR GRADING SHALL COMMENCE UNTIL:

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

TRPA Executive Director/Designee

Date _____

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

Signature of Permittee(s) _____ Date _____

(PERMIT CONTINUED ON NEXT PAGE)
APNs 097-122-024/-010, -025 & -027

Shorezone Security (1): Amount \$10,000 Paid _____ Receipt No._____

Shorezone Mitigation Fee (2): Amount \$7,920 Paid _____ Receipt No._____

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

Scenic Monitoring Inspection Fee (3): Amount \$_____ Paid _____ Receipt No._____

Excess Coverage Mitigation Fee (4): Amount \$_____ Paid _____ Receipt No._____

Excess Coverage Mitigation Fee (5): Amount \$_____ Paid _____ Receipt No._____

Notes:

- (1) Amount to be determined. See Special Condition 3.F, below.
- (2) Amount to be determined. See Special Condition 3.G, below.
- (3) Consult the TRPA Filing Fee Schedule for the current security administration fee and additional inspection fee.
- (4) Amount to be determined. See Special Condition 3.H, below.
- (5) Amount to be determined. See Special Condition 3.I, 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 authorizes the construction of a new multiple-parcel pier for the single-family residences located at 5070, 5080, and 5090 West Lake Blvd. Placer County, California. The length of the pier will be 132 feet (124 feet 4 four inches as measured from the high water line), with a width of 8 feet. The last 33 feet of the pier will be 10 feet wide with 3-foot-wide catwalks on each side. The adjustable catwalks will be 30 feet long. The pier will extend to the pierhead line (to elevation 6216.7 feet), 24 feet past elevation 6,219 feet. The pier will straddle the property line located between 5080 and 5090 West Lake Boulevard. The pier includes signage to facilitate public access in the public trust. Approval of this project serves as TRPA recognition of the new pier as a multiple-parcel pier. The properties associated with the project area will be deed restricted against future shorezone development.

The pier is located in areas mapped as Spawning and Feed-Cover Habitat. Lake bottom disturbance will be 12.1 square feet and will be mitigated at a ratio of 1.5:1 (as required by TRPA Code, Section 84.11) by the installation of a 4' x 5' area of 6" to 8" cobbles over an existing gravel substrate.

Up to 460 square feet of visible mass (excludes the visible mass of a boat lift, watercraft on a boat lift, and other allowed accessory structures) is allowed for multiple-parcel piers serving three primary residential littoral parcels. The proposed pier/catwalks have a total Visual Mass of 189.5 square feet. The project area is located in a Visually Modified scenic character type, requiring mitigation of additional mass associated with a pier at a 1:2 ratio. This means that 379 square feet of visible mass must be mitigated within the project area. All three properties have visible area that is significantly less than their allowed visible area per the Visual Magnitude table. The applicants are proposing that 1/3 of the visible area from the pier be allocated towards each property. The parcels are required to score a minimum 25 points based on the Contrast Rating System no later than six months following project application submittal. All three parcels are currently in conformance. The new pier will be grey Trex or equivalent with flat black steel accessories.

Address	Contrast Rating Score	Allowed Visible Area (sq. ft.)	Existing Visible Area (sq. ft.)	Amount of Visible Area Retired for Pier (sq. ft.)	Remaining Visible Area (sq. ft.)
5070 W. Lake Blvd.	25	1,190	685	127	378
5080 W. Lake Blvd.	25	1,190	238	126	826
5090 W. Lake Blvd.	28	1,800	371	126	1,303

2. The Standard Conditions of Approval listed in Attachment S shall apply to this permit.
3. Prior to permit acknowledgement, the following conditions of approval must be satisfied:
 - A. The plans for the project shall be revised to include the following:
 1. The backshore boundary and setback shall be reflected on the plans.
 2. The coverage table shall be updated to reflect the coverage being added in the backshore.
 - B. The permittee shall submit a projected construction completion schedule to TRPA prior to acknowledgment. Said schedule shall include completion dates for each item of construction.
 - C. The permittees shall record a deed restriction to be prepared by TRPA that will create a project area for the subject APNs (097-122-024/-010, -025, -027, & -010) for the purpose of limiting potential future shorezone development, to allow for only one multiple-parcel pier between the three subject parcels. The permittee shall record the deed restriction with the Placer County Recorder's Office and provide either the original recorded deed restriction or a certified copy of the recorded deed restriction to TRPA prior to permit acknowledgement.

- D. The permittees shall conduct a Tahoe Yellow Cress (TYC) survey for the subject properties. Surveys shall be conducted during the growing season of June 15th through September 30th prior to commencement of proposed work. If TYC or TYC habitat are present, the permittee shall submit a TYC avoidance and protection plan to TRPA prior to acknowledgement of this permit.
- E. The permittees shall provide a Spill Prevention Plan for the use of any hazardous materials or equipment (i.e., fuel, epoxy glue, other volatile substances, welding and torch equipment, etc.), for construction activities occurring from a barge and/or amphibious vehicle and within the lake. The Plan shall require absorbent sheets/pads to be retained on the barge at all times. A contact list of all emergency response agencies shall be available at the project site at all times during construction.
- F. The project security required under Standard Condition A.3 of Attachment S shall be \$10,000. Please see Attachment J, Security Procedures, for appropriate methods of posting the security and for calculation of the required security administration fee. A non-refundable monitoring review inspection fee is also due at permit acknowledgement.
- G. Pursuant to Section 10.8.5.E.4.a.i of the TRPA Rules of Procedure, the permittee shall submit a shorezone mitigation fee of \$7,920 for the construction of 132 feet of pier length for a new pier (assessed at \$60.00 per linear foot).
- H. APNs 097-122-024/-010 have 1,194 square feet of excess land coverage. The permittee shall mitigate a portion or all of the excess land coverage on this property by removing coverage within Hydrologic Transfer Area 7 – McKinney Bay or in a different hydrologically related area provided the restoration occurs on more sensitive land than the project area or by submitting an excess coverage mitigation fee.

To calculate the amount of excess coverage to be removed, use the following formula:

Estimated project construction cost multiplied by the fee percentage of .5% (as identified in Table 30.6.1, Chapter 30 of the TRPA Code of Ordinances) divided by the mitigation factor of 8. If you choose this option, please revise your final site plans and land coverage calculations to account for the permanent coverage removal.

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

Coverage reduction square footage (as determined by formula above) multiplied by the coverage mitigation cost fee of \$8.50 for projects within Hydrologic Transfer Area 7 – McKinney Bay. Please provide a construction cost estimate for the structural elements of the structure by your licensed contractor, architect or engineer. The structural elements include, without limitation: pier pilings, bracing and supports, bearing walls, rafters, foundations, and base materials under asphalt or concrete. In no case shall the mitigation fee be less than \$200.00.

- I. APN 097-122-027 has 823 square feet of excess land coverage. The permittee shall mitigate a portion or all of the excess land coverage on this property by removing coverage within Hydrologic Transfer Area 7 – McKinney Bay or in a different hydrologically related area provided the restoration occurs on more sensitive land than the project area or by submitting an excess coverage mitigation fee.

To calculate the amount of excess coverage to be removed, use the following formula:

Estimated project construction cost multiplied by the fee percentage of .25% (as identified in Table 30.6.1, Chapter 30 of the TRPA Code of Ordinances) divided by the mitigation factor of 8. If you choose this option, please revise your final site plans and land coverage calculations to account for the permanent coverage removal.

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

Coverage reduction square footage (as determined by formula above) multiplied by the coverage mitigation cost fee of \$8.50 for projects within Hydrologic Transfer Area 7 – McKinney Bay. Please provide a construction cost estimate for the structural elements of the structure by your licensed contractor, architect or engineer. The structural elements include, without limitation: pier pilings, bracing and supports, bearing walls, rafters, foundations, and base materials under asphalt or concrete.

- J. The applicant shall provide pier decking samples. The pier decking shall be matte medium to dark grey in color with flat black steel accessories. A note shall be added to the plans with the approved color.
- K. The pier project is creating a total of 72 square feet of new coverage in the backshore (coverage associated with the pier upland of the high water line). The permittee shall transfer 108 square feet (ratio of 1.5 to 1) of Land Capability District (LCD) Class 1b restoration credits to the site in accordance with TRPA Code Sections, 85.5.4, 85.5.1.E, and 30.5.3; 64.5. All coverage transfers must be in compliance with Chapter 30 of the TRPA Code of Ordinances and the TRPA Rules of Procedure.
- L. The permittees shall provide an electronic set of final construction drawings for TRPA acknowledgement.

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

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

5. It is the Permittee's responsibility to receive authorization and obtain any necessary permits from other responsible agencies for the proposed project.
6. No pier demolition or construction shall occur between May 1 and October 1 (spawning season) unless prior approval is obtained from the California Department of Fish and Wildlife, the U.S. Army Corps of Engineers, or the U.S. Fish and Wildlife Service.
7. Pile driving operations and other piling installation methods (i.e. pinning, etc.) shall require the installation of caissons for turbidity control upon the discretion of the TRPA inspector upon a pre-grade inspection. A floating fine mesh fabric screen or other material approved by TRPA shall be installed underneath the pier decking to capture any fallen materials during pier demolition and reconstruction. The floating screen and caissons may be removed upon project completion and after a satisfactory inspection by TRPA to ensure that all suspended materials have settled.
8. Disturbance of lake bed materials shall be the minimum necessary. The removal of rock materials from Lake Tahoe is prohibited. Gravel, cobble, or small boulders shall not be disturbed or removed to leave exposed sandy areas before, during, or after construction.
9. Best practical control technology shall be employed to prevent earthen materials to be re-suspended as a result of construction activities and from being transported to adjacent lake waters.
10. The discharge of petroleum products, construction waste and litter (including sawdust), or earthen materials to the surface waters of the Lake Tahoe Basin is prohibited. All surplus construction waste materials shall be removed from the project and deposited only at approved points of disposal.

11. The permittee shall provide underwater photos of the project area indicating the conditions prior to the start of construction. For the purposes of this condition, the project area shall include the areas where the pier and boatlift will be placed, the areas where the existing mooring blocks are currently located. Prior to security return, the permittee shall provide post-construction underwater photos of the same locations of the project area. Note that prior to security return, the permittee must demonstrate proof that the block associated with the mooring buoy that will be converted to a boatlift have been removed and the area of lake bottom restored.
12. Any normal construction activity creating noise in excess of the TRPA noise standards shall be considered exempt from said standards provided all such work is conducted between the hours of 8:00 A.M. and 6:30 P.M.

END OF PERMIT

Attachment C
Conformance Review Checklist

Degnan/Struck/Hachman New Multiple Parcel Pier Conformance Review Table

Table 1: Pier Conformance Review Under Shorezone Code

Standard	Shorezone Code	Proposed Pier	Conformance
Streams	Outside of Stream Mouth Protection Zone (SMPZ)	Outside of SMPZ	In conformance
Fish Habitat	Mitigation at 1.5:1 for Spawning Habitat	Replace fish habitat at 1.5.1 ratio, mitigation fee of \$7,920 for 132 linear feet of new pier (\$60.00 per linear foot)	In conformance
Length	Pierhead may extend 30 feet past 6219' or 60 feet past pierhead line, whichever is more limiting. An additional 15 feet may be permitted for piers serving three or more primary residential parcels.	The pier will extend to the pierhead line (to elevation 6216.7 feet), 24 feet past elevation 6,219 feet.	In conformance
Setbacks	20' for new piers from outermost property boundary projection lines & 40' from existing piers as measured from the pierhead	Conforms with external projection line setbacks	In Conformance
Width	Maximum 15' wide excluding catwalks	10' wide pierhead with 3' wide catwalks on each side.	In conformance
Catwalk	Maximum of 3' by 45'	3' x 30'	In conformance
Boatlift	One boat lift per littoral parcel (max. 4)	None proposed	In conformance
Pier Height	6,232' maximum	6,232'	In conformance
Free Flowing Water	Piers required to be floating or have an open piling foundation	Open piling foundation (90%)	In conformance
Superstructures (Boat House)	Prohibited	NA	In conformance

Colors & Materials	Dark colors that blend with background	The new pier will be grey Trex or equivalent with flat black steel accessories.	In conformance
Visual Mass Limitation	460 square feet of visible mass (excludes the visible mass of a boat lift, watercraft on a boat lift, and other allowed accessory structures) is allowed for multiple-parcel piers serving three primary residential littoral parcels.	189.5 square feet	In conformance
Visual Mass Mitigation	In Visually Modified Character Types, mitigation required at a 1:2 ratio.	Propose to retire remaining allowable visible area from all three parcels.	In conformance
Retirement of Shorezone Development Potential	Required for multiple-parcel piers.	Deed restriction to be recorded prior to permit acknowledgement.	In conformance

Attachment D

Site Plans & Elevations

SITE PLAN



ISSUES AND REVISIONS			
No.	Date	Issue and Revision	By Check
1	DEC. 28, 2021	TRPA SUBMITAL	Gf Gf

Pier BMPs

- Caissons shall be installed around piling during installation/removal when water is present.
- Visual turbidity monitoring during construction will occur and turbidity curtains shall be installed if necessary.
- If construction occurs when dry, a self-contained amphibious vehicle shall be used and down grade erosion control/silt fencing shall be installed. If soil disturbance is observed, steel six-foot square mats shall be used.
- All debris and staging shall be contained on the barge and protected from discharge to the lake.
- Should inclement weather occur, the barge shall be stabilized and/or removed from the lake and the site shall be fully winterized.
- All work performed between October 15th and May 1st shall be conducted in a manner that the project will be winterized within 48 hours. Winterization shall include the prevention of material discharge from the site without maintenance. All exposed soils shall be covered with visqueen, erosion protection blankets, or mulch and include perimeter sediment controls such as fiber logs or silt fence.
- All material transport shall be via barge and loaded/offloaded at Oberer's Marina.
- Spill containment materials shall be present on the barge during construction.
- The barge shall be monitored for leaks and inspected after each construction day.
- Any debris shall be skimmed from the lake surface and retrieved and removed. All organic debris shall be disposed of at an approved sanitary landfill or recycled.

Source Control and Spill Prevention Measures

- Construction materials shall be stored within the barge and protected from discharge to Lake Tahoe. The barge shall be checked and maintained daily to prevent leaks of hazardous materials. Spill containment materials including oil absorbent pillows and pads shall be present during construction should any mechanical fluids be discharged from the barge.
- Fueling of the barge shall occur offsite. Fueling of other equipment shall be completed on the barge with personnel present to detect and contain spills.
- All waste shall be stored in secure containers on the barge. Waste shall be removed by barge to appropriate facilities. No disposal of any waste shall occur onsite.
- After construction, no stains shall be applied to any materials. No materials shall be discharged to Lake Tahoe.
- Spills must be reported to the appropriate agencies as soon as possible. A list of all agencies shall be present on the barge at all times.
- Any debris shall be skimmed from the lake surface and retrieved and removed. All organic debris shall be disposed of at an approved sanitary landfill or recycled.
- No containers of fuel, paint or other hazardous materials shall be stored on the pier when not in immediate use. No construction materials shall be stored on the shoreline.
- A spill response kit shall be on-site at all times.

CALIFORNIA			
PLACER COUNTY	HOMEWOOD	DEGNAN/STRUCK/HACHMAN	NEW PIER FOR
APN. 097-122-025, -024 AND -027	5070/5090/5090 WEST LAKE BLVD	5070/5090 WEST LAKE BLVD	HOMEWOOD

CALIFORNIA			
PLACER COUNTY	HOMEWOOD	DEGNAN/STRUCK/HACHMAN	NEW PIER FOR
APN. 097-122-025, -024 AND -027	5070/5090 WEST LAKE BLVD	5070/5090 WEST LAKE BLVD	HOMEWOOD

CALIFORNIA			
PLACER COUNTY	HOMEWOOD	DEGNAN/STRUCK/HACHMAN	NEW PIER FOR
APN. 097-122-025, -024 AND -027	5070/5090 WEST LAKE BLVD	5070/5090 WEST LAKE BLVD	HOMEWOOD

CALIFORNIA			
PLACER COUNTY	HOMEWOOD	DEGNAN/STRUCK/HACHMAN	NEW PIER FOR
APN. 097-122-025, -024 AND -027	5070/5090 WEST LAKE BLVD	5070/5090 WEST LAKE BLVD	HOMEWOOD

CALIFORNIA			
PLACER COUNTY	HOMEWOOD	DEGNAN/STRUCK/HACHMAN	NEW PIER FOR
APN. 097-122-025, -024 AND -027	5070/5090 WEST LAKE BLVD	5070/5090 WEST LAKE BLVD	HOMEWOOD

CALIFORNIA			
PLACER COUNTY	HOMEWOOD	DEGNAN/STRUCK/HACHMAN	NEW PIER FOR
APN. 097-122-025, -024 AND -027	5070/5090 WEST LAKE BLVD	5070/5090 WEST LAKE BLVD	HOMEWOOD

CALIFORNIA			
PLACER COUNTY	HOMEWOOD	DEGNAN/STRUCK/HACHMAN	NEW PIER FOR
APN. 097-122-025, -024 AND -027	5070/5090 WEST LAKE BLVD	5070/5090 WEST LAKE BLVD	HOMEWOOD

CALIFORNIA			
PLACER COUNTY	HOMEWOOD	DEGNAN/STRUCK/HACHMAN	NEW PIER FOR
APN. 097-122-025, -024 AND -027	5070/5090 WEST LAKE BLVD	5070/5090 WEST LAKE BLVD	HOMEWOOD

CALIFORNIA			
PLACER COUNTY	HOMEWOOD	DEGNAN/STRUCK/HACHMAN	NEW PIER FOR
APN. 097-122-025, -024 AND -027	5070/5090 WEST LAKE BLVD	5070/5090 WEST LAKE BLVD	HOMEWOOD

CALIFORNIA			
PLACER COUNTY	HOMEWOOD	DEGNAN/STRUCK/HACHMAN	NEW PIER FOR
APN. 097-122-025, -024 AND -027	5070/5090 WEST LAKE BLVD	5070/5090 WEST LAKE BLVD	HOMEWOOD

CALIFORNIA			
PLACER COUNTY	HOMEWOOD	DEGNAN/STRUCK/HACHMAN	NEW PIER FOR
APN. 097-122-025, -024 AND -027	5070/5090 WEST LAKE BLVD	5070/5090 WEST LAKE BLVD	HOMEWOOD

CALIFORNIA			
PLACER COUNTY	HOMEWOOD	DEGNAN/STRUCK/HACHMAN	NEW PIER FOR
APN. 097-122-025, -024 AND -027	5070/5090 WEST LAKE BLVD	5070/5090 WEST LAKE BLVD	HOMEWOOD

CALIFORNIA			
PLACER COUNTY	HOMEWOOD	DEGNAN/STRUCK/HACHMAN	NEW PIER FOR
APN. 097-122-025, -024 AND -027	5070/5090 WEST LAKE BLVD	5070/5090 WEST LAKE BLVD	HOMEWOOD

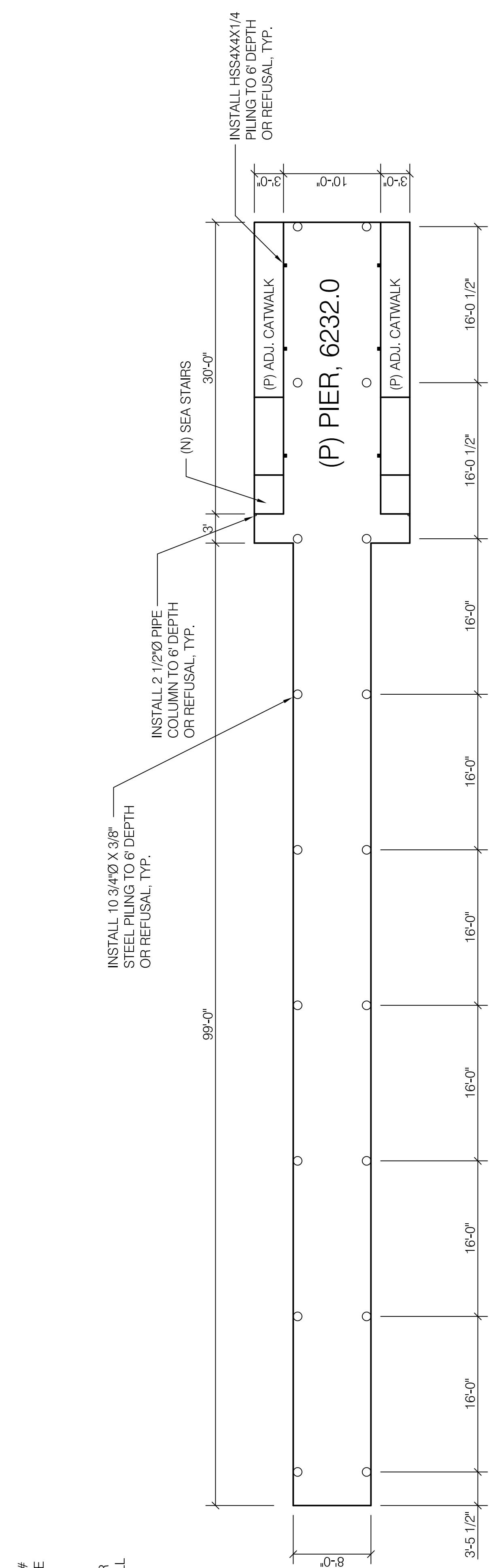
CALIFORNIA			
PLACER COUNTY	HOMEWOOD	DEGNAN/STRUCK/HACHMAN	NEW PIER FOR
APN. 097-122-025, -024 AND -027	5070/5090 WEST LAKE BLVD	5070/5090 WEST LAKE BLVD	HOMEWOOD

CALIFORNIA			
PLACER COUNTY	HOMEWOOD	DEGNAN/STRUCK/HACHMAN	NEW PIER FOR
APN. 097-122-025, -024 AND -027	5070/5090 WEST LAKE BLVD	5070/5090 WEST LAKE BLVD	HOMEWOOD

CALIFORNIA			
PLACER COUNTY	HOMEWOOD	DEGNAN/STRUCK/HACHMAN	NEW PIER FOR
APN. 097-122-025, -024 AND -027	5070/5090 WEST LAKE BLVD	5070/5090 WEST LAKE BLVD	HOMEWOOD

CALIFORNIA			
PLACER COUNTY	HOMEWOOD	DEGNAN/STRUCK/HACHMAN	NEW PIER FOR

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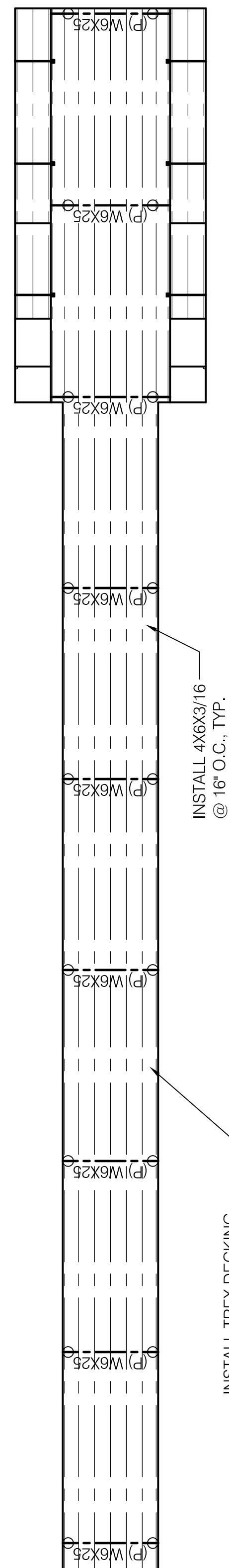


1 | PILING PLAN

ISSUES AND REVISIONS

No. Date Issue and Revision By Check

1 DEC. 28 2021 TRPA SUBMITTAL GF GF



BUILDING CODE INFORMATION	DESIGN CRITERIA
APPLICABLE CODES 2019 CALIFORNIA ADMINISTRATIVE CODE (2019 CAC) 2019 CALIFORNIA BUILDING CODE (2019 CBC) 2019 CALIFORNIA RESIDENTIAL CODE (2019 CRC) 2019 CALIFORNIA ELECTRICAL CODE (2019 CEC) 2019 CALIFORNIA MECHANICAL CODE (2019 CMC) 2019 CALIFORNIA PLUMBING CODE (2019 CPC) 2019 CALIFORNIA ENERGY CODE (2019 CEnC) 2019 CALIFORNIA GREEN BUILDING STANDARDS CODE (2019 CALGREEN)	1. ALLOWABLE BEARING PRESSURES = 2000 PSF 1.1. THE E.O.I. IS NOT RESPONSIBLE FOR THE AdeQUACY OF THE FOUNDING SOILS. 2. SITE CLASS = D 2.1. SEISMIC DESIGN CATEGORY = D 2.2. OCCUPANCY CATEGORY = II 3. WIND LOADS 3.1. RISK CATEGORY I 3.2. BASIC WIND SPEED = 120 MPH 4. Gravity Loads 4.1. Snow Loads 4.2. Life Loads 4.2.1. GROUND SNOW LOAD = 223 PSF 4.2.2. FLOOR LOAD = 40 PSF 4.3. Dead Loads 4.3.1. FLOOR LOAD = 10 PSF

2 FRAMING PLAN	3 CONNECTION DETAIL, N.T.S.
DECKING W/ (2) STAINLESS STEEL #10-16 X 2-1/2" SELF-DRILL BUGLE-HEAD SCREWS 	

Attachment E
Initial Environmental Checklist



OFFICE
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Stateline, NV 89449-5310

www.trpa.org
trpa@trpa.org

HOURS
Mon. Wed. Thurs. Fri
9 am-12 pm/1 pm-4 pm
Closed Tuesday

New Applications Until 3:00 pm

[Print Form](#)

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

I. Assessor's Parcel Number (APN)/Project Location **097-122-025, -010 and -027**

Project Name **Degnan/Struck/Hachman New Pier**

County/City **Placer**

Brief Description of Project:

Install new pier.

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

II. ENVIRONMENTAL IMPACTS:

1. Land

Will the proposal result in:

- a. Compaction or covering of the soil beyond the limits allowed in the land capability or Individual Parcel Evaluation System (IPES)?

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

- b. A change in the topography or ground surface relief features of site inconsistent with the natural surrounding conditions?

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

- c. Unstable soil conditions during or after completion of the proposal?

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

- d. Changes in the undisturbed soil or native geologic substructures or grading in excess of 5 feet?

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

- e. The continuation of or increase in wind or water erosion of soils, either on or off the site?

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

f. Changes in deposition or erosion of beach sand, or changes in siltation, deposition or erosion, including natural littoral processes, which may modify the channel of a river or stream or the bed of a lake?

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

g. Exposure of people or property to geologic hazards such as earthquakes, landslides, backshore erosion, avalanches, mud slides, ground failure, or similar hazards?

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

2. Air Quality

Will the proposal result in:

a. Substantial air pollutant emissions?

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

b. Deterioration of ambient (existing) air quality?

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

c. The creation of objectionable odors?

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

d. Alteration of air movement, moisture or temperature, or any change in climate, either locally or regionally?

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

e. Increased use of diesel fuel?

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

3. Water Quality

Will the proposal result in:

a. Changes in currents, or the course or direction of water movements?

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

b. Changes in absorption rates, drainage patterns, or the rate and amount of surface water runoff so that a 20 yr. 1 hr. storm runoff (approximately 1 inch per hour) cannot be contained on the site?

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

c. Alterations to the course or flow of 100-yearflood waters?

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

d. Change in the amount of surface water in any water body?

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

e. Discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity?

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

f. Alteration of the direction or rate of flow of ground water?

- Yes No
 No, With Mitigation Data Insufficient

g. Change in the quantity of groundwater, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations?

- Yes No
 No, With Mitigation Data Insufficient

h. Substantial reduction in the amount of water otherwise available for public water supplies?

- Yes No
 No, With Mitigation Data Insufficient

i. Exposure of people or property to water related hazards such as flooding and/or wave action from 100-year storm occurrence or seiches?

- Yes No
 No, With Mitigation Data Insufficient

j. The potential discharge of contaminants to the groundwater or any alteration of groundwater quality?

- Yes No
 No, With Mitigation Data Insufficient

k. Is the project located within 600 feet of a drinking water source?

- Yes No
 No, With Mitigation Data Insufficient

4. Vegetation

Will the proposal result in:

- a. Removal of native vegetation in excess of the area utilized for the actual development permitted by the land capability/IPES system?

Yes No
 No, With Mitigation Data Insufficient

- b. Removal of riparian vegetation or other vegetation associated with critical wildlife habitat, either through direct removal or indirect lowering of the groundwater table?

Yes No
 No, With Mitigation Data Insufficient

- c. Introduction of new vegetation that will require excessive fertilizer or water, or will provide a barrier to the normal replenishment of existing species?

Yes No
 No, With Mitigation Data Insufficient

- d. Change in the diversity or distribution of species, or number of any species of plants (including trees, shrubs, grass, crops, micro flora and aquatic plants)?

Yes No
 No, With Mitigation Data Insufficient

- e. Reduction of the numbers of any unique, rare or endangered species of plants?

Yes No
 No, With Mitigation Data Insufficient

f. Removal of stream bank and/or backshore vegetation, including woody vegetation such as willows?

Yes

No

No, With
Mitigation

Data
Insufficient

g. Removal of any native live, dead or dying trees 30 inches or greater in diameter at breast height (dbh) within TRPA's Conservation or Recreation land use classifications?

Yes

No

No, With
Mitigation

Data
Insufficient

h. A change in the natural functioning of an old growth ecosystem?

Yes

No

No, With
Mitigation

Data
Insufficient

5. Wildlife

Will the proposal result in:

a. Change in the diversity or distribution of species, or numbers of any species of animals (birds, land animals including reptiles, fish and shellfish, benthic organisms, insects, mammals, amphibians or microfauna)?

Yes

No

No, With
Mitigation

Data
Insufficient

b. Reduction of the number of any unique, rare or endangered species of animals?

Yes

No

No, With
Mitigation

Data
Insufficient

- c. Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals?

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

- d. Deterioration of existing fish or wildlife habitat quantity or quality?

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

6. Noise

Will the proposal result in:

- a. Increases in existing Community Noise Equivalency Levels (CNEL) beyond those permitted in the applicable Plan Area Statement, Community Plan or Master Plan?

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

- b. Exposure of people to severe noise levels?

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

- c. Single event noise levels greater than those set forth in the TRPA Noise Environmental Threshold?

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

d. The placement of residential or tourist accommodation uses in areas where the existing CNEL exceeds 60 dBA or is otherwise incompatible?

- Yes No
 No, With Mitigation Data Insufficient

e. The placement of uses that would generate an incompatible noise level in close proximity to existing residential or tourist accommodation uses?

- Yes No
 No, With Mitigation Data Insufficient

f. Exposure of existing structures to levels of ground vibration that could result in structural damage?

- Yes No
 No, With Mitigation Data Insufficient

7. Light and Glare

Will the proposal:

- a. Include new or modified sources of exterior lighting?

Surface mounted LED pier lights.

- Yes No
 No, With Mitigation Data Insufficient

- b. Create new illumination which is more substantial than other lighting, if any, within the surrounding area?

--

- Yes No
 No, With Mitigation Data Insufficient

- c. Cause light from exterior sources to be cast off -site or onto public lands?

--

- Yes No
 No, With Mitigation Data Insufficient

- d. Create new sources of glare through the siting of the improvements or through the use of reflective materials?

--

- Yes No
 No, With Mitigation Data Insufficient

8. Land Use

Will the proposal:

- a. Include uses which are not listed as permissible uses in the applicable Plan Area Statement, adopted Community Plan, or Master Plan?

--

- Yes No
 No, With Mitigation Data Insufficient

b. Expand or intensify an existing non-conforming use?

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

9. Natural Resources

Will the proposal result in:

- a. A substantial increase in the rate of use of any natural resources?

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

- b. Substantial depletion of any non-renewable natural resource?

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

10. Risk of Upset

Will the proposal:

- a. Involve a risk of an explosion or the release of hazardous substances including, but not limited to, oil, pesticides, chemicals, or radiation in the event of an accident or upset conditions?

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

- b. Involve possible interference with an emergency evacuation plan?

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

11. Population

Will the proposal:

- a. Alter the location, distribution, density, or growth rate of the human population planned for the Region?

Yes

No

No, With
Mitigation

Data
Insufficient

- b. Include or result in the temporary or permanent displacement of residents?

Yes

No

No, With
Mitigation

Data
Insufficient

12. Housing

Will the proposal:

- a. Affect existing housing, or create a demand for additional housing?

To determine if the proposal will affect existing housing or create a demand for additional housing, please answer the following questions:

- (1) Will the proposal decrease the amount of housing in the Tahoe Region?

Yes

No

No, With
Mitigation

Data
Insufficient

- (2) Will the proposal decrease the amount of housing in the Tahoe Region historically or currently being rented at rates affordable by lower and very-low-income households?

Yes

No

No, With
Mitigation

Data
Insufficient

Number of Existing Dwelling Units: _____

Number of Proposed Dwelling Units: _____

- b. Will the proposal result in the loss of housing for lower-income and very-low-income households?

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

13. Transportation/Circulation

Will the proposal result in:

- a. Generation of 100 or more new Daily Vehicle Trip Ends (DVTE)?

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

- b. Changes to existing parking facilities, or demand for new parking?

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

- c. Substantial impact upon existing transportation systems, including highway, transit, bicycle or pedestrian facilities?

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

- d. Alterations to present patterns of circulation or movement of people and/or goods?

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

- e. Alterations to waterborne, rail or air traffic?

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

f. Increase in traffic hazards to motor vehicles, bicyclists, or pedestrians?

- Yes No
 No, With Mitigation Data Insufficient

14. Public Services

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

a. Fire protection?

- Yes No
 No, With Mitigation Data Insufficient

b. Police protection?

- Yes No
 No, With Mitigation Data Insufficient

c. Schools?

- Yes No
 No, With Mitigation Data Insufficient

d. Parks or other recreational facilities?

- Yes No
 No, With Mitigation Data Insufficient

e. Maintenance of public facilities, including roads?

- Yes No
 No, With Mitigation Data Insufficient

f. Other governmental services?

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

15. Energy

Will the proposal result in:

a. Use of substantial amounts of fuel or energy?

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

b. Substantial increase in demand upon existing sources of energy, or require the development of new sources of energy?

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

16. Utilities

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

a. Power or natural gas?

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

b. Communication systems?

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

c. Utilize additional water which amount will exceed the maximum permitted capacity of the service provider?

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

- d. Utilize additional sewage treatment capacity which amount will exceed the maximum permitted capacity of the sewage treatment provider?

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

- e. Storm water drainage?

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

- f. Solid waste and disposal?

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

17. Human Health

Will the proposal result in:

- a. Creation of any health hazard or potential health hazard (excluding mental health)?

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

- b. Exposure of people to potential health hazards?

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

18. Scenic Resources/Community Design

Will the proposal:

- a. Be visible from any state or federal highway, Pioneer Trail or from Lake Tahoe?

Pier will be visible from Lake Tahoe. Additional visible area will be less than what is allowed through the visual magnitude system.

Yes No
 No, With Mitigation Data Insufficient

- b. Be visible from any public recreation area or TRPA designated bicycle trail?

[Redacted]

Yes No
 No, With Mitigation Data Insufficient

- c. Block or modify an existing view of Lake Tahoe or other scenic vista seen from a public road or other public area?

[Redacted]

Yes No
 No, With Mitigation Data Insufficient

- d. Be inconsistent with the height and design standards required by the applicable ordinance or Community Plan?

[Redacted]

Yes No
 No, With Mitigation Data Insufficient

- e. Be inconsistent with the TRPA Scenic Quality Improvement Program (SQIP) or Design Review Guidelines?

[Redacted]

Yes No
 No, With Mitigation Data Insufficient

19. Recreation

Does the proposal:

- a. Create additional demand for recreation facilities?

Yes No
 No, With Mitigation Data Insufficient

- b. Create additional recreation capacity?

Yes No
 No, With Mitigation Data Insufficient

- c. Have the potential to create conflicts between recreation uses, either existing or proposed?

Yes No
 No, With Mitigation Data Insufficient

- d. Result in a decrease or loss of public access to any lake, waterway, or public lands?

Yes No
 No, With Mitigation Data Insufficient

20. Archaeological/Historical

- a. Will the proposal result in an alteration of or adverse physical or aesthetic effect to a significant archaeological or historical site, structure, object or building?

Yes No
 No, With Mitigation Data Insufficient

- b. Is the proposed project located on a property with any known cultural, historical, and/or archaeological resources, including resources on TRPA or other regulatory official maps or records?

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

- c. Is the property associated with any historically significant events and/or sites or persons?

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

- d. Does the proposal have the potential to cause a physical change which would affect unique ethnic cultural values?

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

- e. Will the proposal restrict historic or pre-historic religious or sacred uses within the potential impact area?

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

21. Findings of Significance.

- a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California or Nevada history or prehistory?

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
	<input type="checkbox"/> No, With Mitigation	<input type="checkbox"/> Data Insufficient

b. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (A short-term impact on the environment is one which occurs in a relatively brief, definitive period of time, while long-term impacts will endure well into the future.)

Yes

No

No, With
Mitigation

Data
Insufficient

c. Does the project have impacts which are individually limited, but cumulatively considerable? (A project may impact on two or more separate resources where the impact on each resource is relatively small, but where the effect of the total of those impacts on the environmental is significant?)

Yes

No

No, With
Mitigation

Data
Insufficient

d. Does the project have environmental impacts which will cause substantial adverse effects on human being, either directly or indirectly?

Yes

No

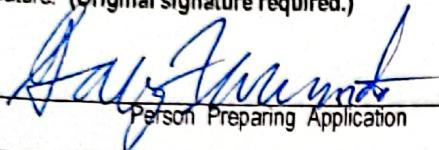
No, With
Mitigation

Data
Insufficient

DECLARATION:

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

Signature: (Original signature required.)

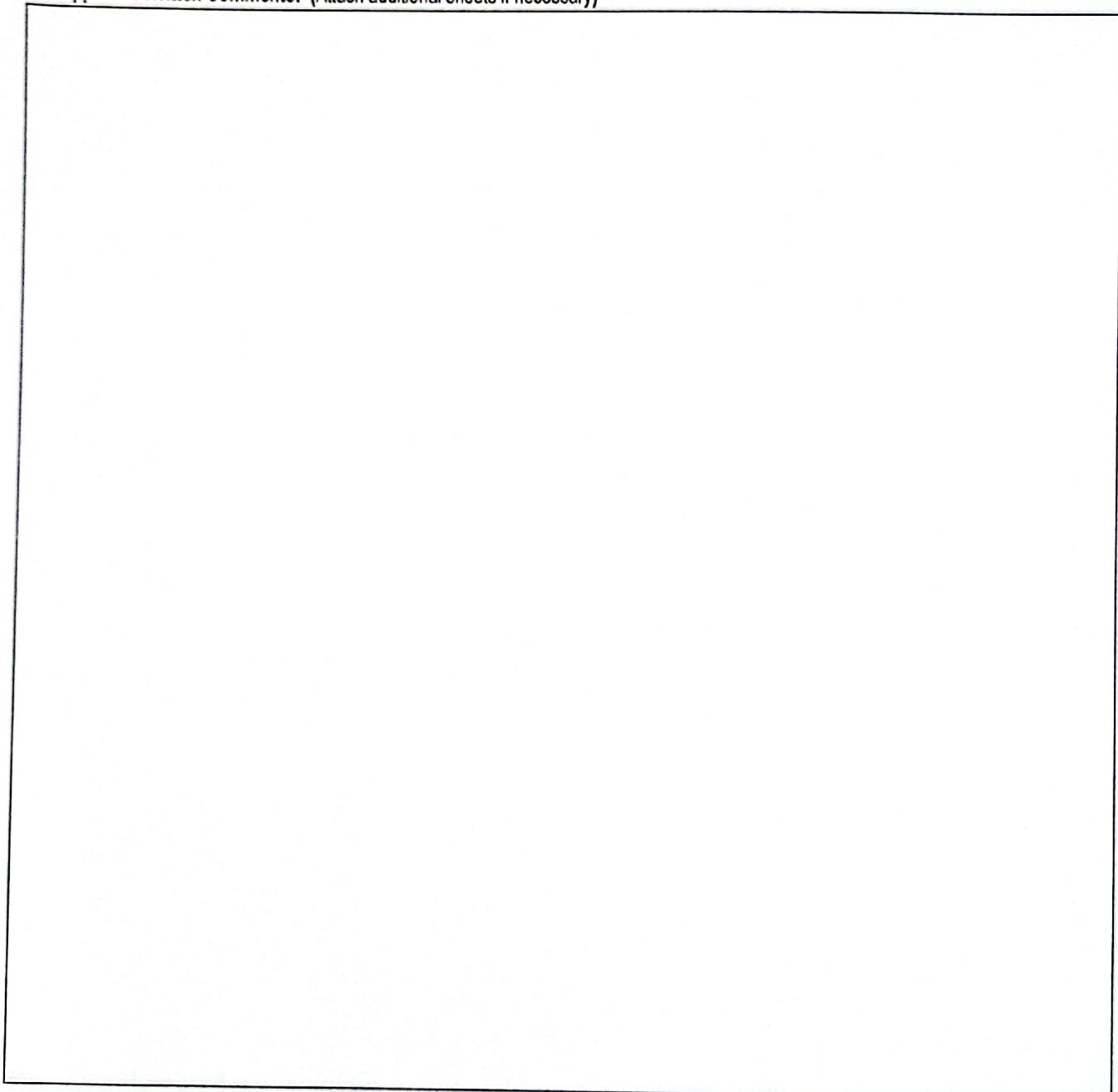


Person Preparing Application

At Placer
County

Date: 12/8/21

Applicant Written Comments: (Attach additional sheets if necessary)



[Print Form](#)

FOR OFFICE USE ONLY

Date Received: _____ By: _____

Determination:

On the basis of this evaluation:

- a. The proposed project could not have a significant effect on the environment and a finding of no significant effect shall be prepared in accordance with TRPA's Rules of Procedure.

Yes

No

- b. The proposed project could have a significant effect on the environment, but due to the listed mitigation measures which have been added to the project, could have no significant effect on the environment and a mitigated finding of no significant effect shall be prepared in accordance with TRPA's Rules and Procedures.

Yes

No

- c. The proposed project may have a significant effect on the environment and an environmental impact statement shall be prepared in accordance with Chapter 3 of the TRPA Code of Ordinances and the Rules of Procedure.

Yes

No

Brandy McMahon
Brandy McMahon

Digitally signed by Brandy McMahon
DN: cn=Brandy McMahon, o=Tahoe Regional Planning
Agency, ou, email=bmcmahon@trpa.gov, c=US
Date: 2022.11.04 15:57:00 -07'00'

Date: 11/3/2022

Signature of Evaluator

Brandy McMahon, Local Government Coordinator

Title of Evaluator

Attachment F

V(g) Findings

PROJECT REVIEW CONFORMANCE CHECKLIST & V (g) FINDINGS

(RESIDENTIAL)

Project Name: Degnan/Struck/Hachman New Multiple-Parcel Pier

Project Type: Shorezone

APN / Project Number: APNs 097-122-024/-010, -025, & -027/ERSP2022-0003

Project Review Planner: Brandy McMahon Date of Review: 10/28/2022

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

CATEGORY: AIR QUALITY

THRESHOLD: CARBON MONOXIDE (CO)

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

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

THRESHOLD: OZONE

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

- | | | | |
|----|--|----------------------------|---------------------------------------|
| 1. | a. Does the project increase regional VMT? | Y <input type="checkbox"/> | N <input checked="" type="checkbox"/> |
| | b. If yes, is the project consistent with Subsection 65.2.4? | Y <input type="checkbox"/> | N <input type="checkbox"/> |
| 2. | a. Does the project include new gas/oil space/water heaters? | Y <input type="checkbox"/> | N <input checked="" type="checkbox"/> |
| | b. If yes, is the project consistent with Subsection 65.1.4? | Y <input type="checkbox"/> | N <input type="checkbox"/> |
| 3. | a. Does the project include a new stationary source of NO ² ? | Y <input type="checkbox"/> | N <input checked="" type="checkbox"/> |
| | b. If yes, is the project consistent with Subsection 65.1.6? | Y <input type="checkbox"/> | N <input type="checkbox"/> |

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

- | | | | |
|----|--|---------------------------------------|---------------------------------------|
| 1. | a. Does the project increase airborne dust emissions? | Y <input checked="" type="checkbox"/> | N <input type="checkbox"/> |
| | b. If yes, is the project consistent with Subsection 60.4.3? | Y <input checked="" type="checkbox"/> | N <input type="checkbox"/> |
| 2. | a. Does the project include a new stationary source of particulate matter? | Y <input type="checkbox"/> | N <input checked="" type="checkbox"/> |
| | b. If yes, is the project consistent with Subsection 65.1.6? | Y <input type="checkbox"/> | N <input type="checkbox"/> |

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

THRESHOLD: VISIBILITY

INDICATOR: miles of visibility, veg and subregional path

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

THRESHOLD: TRAFFIC VOLUME

US 50 CORRIDOR, WINTER, 4pm-12am

INDICATOR: traffic volume, US 50 at Park Ave.

Jan.-Mar. avg., 4pm-12am

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

THRESHOLD: NO² EMISSIONS

INDICATOR: VMT

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

THRESHOLD: WOOD SMOKE

INDICATOR: number of wood heaters

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

Y N
Y N

THRESHOLD: VMT

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

1. a. Does the project increase average trip length?
b. If yes, is the project consistent with Subsection 65.2.4.B?

Y N
Y N

2. a. refer to question 1, CO, above.

CATEGORY: WATER QUALITY

THRESHOLD: TURBIDITY

INDICATOR: turbidity of indicator stations

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

THRESHOLD: CLARITY, WINTER (IN LAKE)

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

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

THRESHOLD: PHYTOPLANKTON PRIMARY PRODUCTIVITY (IN LAKE)

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

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

THRESHOLD: DIN LOAD, SURFACE RUNOFF

INDICATOR: DIN x discharge, tributary network annual total 1

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

THRESHOLD: DIN LOAD, GROUNDWATER

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

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

THRESHOLD: DIN LOAD, ATMOSPHERIC

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

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

THRESHOLD: NUTRIENT LOADS, GENERAL

INDICATOR: sol. P x discharge sol. Fe x

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

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

INDICATOR: single reading, tributary network

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

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

INDICATOR: single reading tributary network

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

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

RUNOFF INDICATOR: single reading runoff sites

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

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

GRDWTR FROM RUNOFF INDICATOR: single reading runoff site

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

CATEGORY: SOIL CONSERVATION

THRESHOLD: IMPERVIOUS COVERAGE

INDICATOR: area or coverage

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

THRESHOLD: NATURALLY-FUNCTIONING SEZ

INDICATOR: area of SEZ

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

CATEGORY: VEGETATION

THRESHOLD: PLANT & STRUCTURAL DIVERSITY

INDICATOR: plant & structural diversity

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

THRESHOLD: MEADOW & RIPARIAN VEGETATION

INDICATOR: area of meadow & riparian veg.

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

THRESHOLD: DECIDUOUS RIPARIAN VEGETATION

INDICATOR: area of riparian vegetation

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

THRESHOLD: SHRUB ASSOCIATION

INDICATOR: area of shrub association

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

THRESHOLD: YELLOW PINE ASSOCIATION (not mature)

INDICATOR: area of yellow pine assoc.

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

THRESHOLD: RED FIR ASSOCIATION

INDICATOR: area of red fir assoc.

1. a. Does the project create a change in the areal extent of the immature red fir association? Y N

b. If yes, has the additional area been calculated, and a determination made that the total area in the Region is between 15 and 25%? Y N

THRESHOLD: FOREST OPENINGS

INDICATOR: size and location of forest openings

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

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

THRESHOLD: UNCOMMON PLANT COMMUNITITES

INDICATOR: habitat sites

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

THRESHOLD: SENSITIVE VEGETATION

INDICATOR: number of habitat sites

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

CATEGORY: WILDLIFE

THRESHOLD: SPECIAL INTEREST SPECIES

INDICATOR: number of habitat sites

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

CATEGORY: FISHERIES

THRESHOLD: EXCELLENT STREAM HABITAT

INDICATOR: sites of excellent stream habitat

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

THRESHOLD: GOOD STREAM HABITAT

INDICATOR: miles of good stream habitat

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

THRESHOLD: MARGIANL STREAM HABITAT

INDICATOR: miles of marginal stream habitat

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

THRESHOLD: INSTREAM FLOWS

INDICATOR: increase flows

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

THRESHOLD: LAKE HABITAT

INDICATOR: area of excellent habitat

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

CATEGORY: NOISETHRESHOLD: COMMUNITY NOISE EQUIVALENT LEVEL (CNEL)

INDICATOR: dBA, CNEL

1.
 - a. Does the project involve the creation of a new or relocated land use? Y N
 - b. If yes, is the project consistent with the applicable plan area statement? Y N
2.
 - a. Is the project located within a transportation corridor as mapped on TRPA maps? Y N
 - b. If yes, does the project include components to reduce the transmission of noise from the corridor, in accordance with the TRPA Design Review Guidelines? Y N

CATEGORY: SCENIC RESOURCESTHRESHOLD: ROADWAY AND SHORELINE RATINGS

INDICATOR: ratings

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

CATEGORY: RECREATION

THRESHOLD: PRESERVE AND ENHANCE THE HIGH QUALITY RECREATION EXPERIENCE

INDICATOR: dispersed rec. capacity

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

CATEGORY: CODE/RULES OF PROCEDURE REQUIREMENTS

1. Does the project require Governing Board Review (Chapter 2)? Y N
 5. Does the project require notice to adjacent property owners (Art. XII Rules of Procedure)? Y N
 6. Is the project consistent with the following:

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



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: November 9, 2022

To: TRPA Governing Board

From: TRPA Staff

Subject: Executive Director Compensation Package, Effective November 28, 2022

Summary and Staff Recommendation:

On October 27, 2022, the Governing Board selected Julie Regan to serve as the TRPA Executive Director. Following that meeting the Board Chair, Vice Chair, and Julie Regan met and agreed to the compensation package, evaluation criteria, and separation options contained in the attached offer letter. Staff recommends that the Board authorize the Chair to execute the attached offer letter and formally appoint Julie Regan as TRPA Executive Director upon her acceptance of the executed offer letter.

Required Motions:

In order to authorize the Chair to execute the offer letter and for the Board to appoint the Executive Director, the Board must make the following motion:

A motion to authorize the Chair to execute the attached offer letter and formally appoint Julie Regan as TRPA Executive Director upon her acceptance of the executed offer letter.

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

Contact Information:

For questions regarding this agenda item, please contact John B. Hester, Chief Operating Officer and Interim Executive Director, at (775) 589-5219 or jhester@trpa.gov, or Angela Atchley, Human Resources and Organizational Development Director, at (775) 589-5238 or aatchley@trpa.gov.

Attachment:

A. Executive Director Offer Letter

Attachment A

Executive Director Offer Letter



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

November 16, 2022

Julie Regan
711 W. Spear Street
Carson City, NV 89703

RE: OFFER OF EMPLOYMENT

Dear Julie,

I am pleased to offer you the position of Executive Director with the Tahoe Regional Planning Agency and hope that you will accept this offer. This position is offered at an annualized salary of \$195,037. Your anticipated start date is November 28, 2022. The Executive Director position is a full-time exempt position with the following benefits, evaluation criteria, and separation options.

Benefits

TRPA's excellent employee benefit package includes the following:

- 10.77 hours of Paid Time Off (PTO) accrued per pay-period for sick and personal time away
- 13 paid holidays
- Money Purchase Pension Plan – in lieu of Social Security, the Agency contributes a dollar amount equal to eight percent of your annual salary towards your retirement. This plan has immediate participation and 100% vesting
- Supplemental Retirement Plan – the Agency contributes a dollar amount equal to 5.54 percent of your annual salary towards your retirement. This plan has immediate participation and 100% vesting
- Group Health Insurance: Medical, Dental, and Vision
- Employer Paid Life Insurance and Short-Term Disability
- Long-Term Disability (Voluntary)
- 457(b) Deferred Compensation Retirement Plan (Voluntary)
- Medical and Dependent Care Flexible Spending Accounts (Voluntary)

Evaluation Criteria

The initial evaluation will be conducted no later than six months after the start date and will include review of your personal development plan, work plan and priorities, and organizational adjustments including replacement of your current external affairs position. With the initial evaluation you will be eligible for up to a 2.5% increase. Subsequent evaluations will be conducted annually. The criteria for those evaluations are: 1.) satisfactory support of Governing Board operations including regular communications, monthly meetings, and an annual priority-setting session that results in an annual agency work plan and budget, 2.) progress on or completion of the core activities and initiatives in the approved work plan consistent with the approved budget unless the Governing Board approves revisions to the work plan and/or budget, 3.) demonstration of the attached core competencies which all TRPA employees have included in their performance plans, and 4.) input from stakeholders and

partner agencies that demonstrates a good faith effort at communication, coordination, and collaboration.

Separation Options

The options that the Governing Board can employ for separation are: 1.) immediate separation with no additional compensation if the separation is "with cause" which is defined as unsatisfactory performance based on agreed upon performance measures from the annual work plan and/or other GB requested initiatives, dishonesty, incompetence, willful misconduct, any breach of fiduciary duty involving personal profit, intentional failure to perform stated duties, or willful violation of any law, rule or regulation (other than traffic violations or similar offenses), or final cease-and-desist order; 2.) no additional compensation upon voluntary resignation or retirement; and 3.) 16 weeks full compensation if separated without cause. In all cases you will receive full payment for hours of previously accrued sick time and accrued Paid Time Off.

If you accept this offer, please sign below, and return this letter to Angela Atchley no later than close of business, Friday, November 25th. If you have any questions, please feel free to contact John Hester at (775) 589-5219 or jhester@trpa.gov, or Angela Atchley at (775) 589-5238 or aatchley@trpa.gov.

Sincerely,

Cindy Gustafson, Chair
Governing Board
Tahoe Regional Planning Agency

Acceptance: _____

Date: _____

TRPA Core Competencies

Self-Development

Commit to reflection, learning, and growth, maintain composure under stress, empathize with others, seek and incorporate feedback, demonstrate fairness and integrity, use appropriate tools for organization, ask for assistance when needed, and provide the highest possible level of public service.

Critical Thinking and Continuous Improvement

Think and execute strategically, use sound judgement and take intelligent risks, consider alternatives and consequences, maintain focus on “the big picture,” test the practicality of decisions, and involve others in decisions to gain diverse perspectives.

Collaborative Relationships and Teamwork

Build and strengthen relationships, treat people with respect, work to resolve conflicts and solve problems, inspire trust, value contributions and share credit with others, and remove barriers to collaboration.

Initiative and Results Focus

Produce high-quality products, processes, and outcomes that are complete, on time, and thorough, manage resources to optimize results, respond skillfully to change, be accountable for meeting key tasks, and consistently meet deadlines.

Communication

Excel at written and oral communication, deliver high-quality writing and presentations, strive first to hear and then to be heard, take initiative to communicate effectively, and exhibit situational awareness.

People Leadership

Recognize talent, assemble strong teams, mentors, share knowledge and resources, delegate appropriately, promote a sense of belonging among partners, remove obstacles to success, provide constructive feedback, reward performance, and effectively address performance and morale issues.

Agency Leadership

Focus on priorities, create successful strategies and action plans, drive execution, anticipate risks and adjust appropriately, use fresh perspectives and creative thinking to solve complex issues, and build, maintain and facilitate strong relationships both within the agency and with outside leaders and stakeholders.



TAHOE
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AGENCY

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STAFF REPORT

Date: November 9, 2022

To: Tahoe Metropolitan Planning Organization Governing Board

From: TRPA Staff

Subject: Approval of Amendment No.1 of the FY 2022/23 Lake Tahoe Transportation Overall Work Program

Summary and Staff Recommendation:

Staff recommends that the Tahoe Metropolitan Planning Organization (TMPO) approve Amendment No.1 of the FY 2022/2023 (FY 2023) TMPO Transportation Overall Work Program (OWP).

Required Motion:

In order to adopt Amendment No.1 of the FY 2023 TMPO Overall Work Program, the Board must make the following motion, based on the staff report:

- 1) A motion to adopt the attached resolution approving Amendment No.1 of the FY 2023 TMPO Overall Work Program (Attachment A)

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

Background:

As a recipient of federal transportation planning funds, the Tahoe Metropolitan Planning Organization (TMPO) is required to prepare an annual program of work outlining transportation planning activities TMPO will be undertaking in the coming fiscal year. The OWP, also referred to as a Unified Planning Work Program (UPWP), provides a description of the activities and financial budget to fund the efforts.

Based on the annual reconciliation of Federal Highway Administration (FHWA) Planning Funds (PL), PL Carryover, Federal Transit Administration (FTA) 5303 and 5303 Carryover, Transportation Development Act (TDA) and Road Maintenance and Rehabilitation Account (RMRA) between Caltrans and TMPO it is necessary to amend the current [OWP FY 22/23](#) budget of \$1,927,561 to reflect a total budget increase of \$233,464. This amendment is an opportunity to also modify anticipated activities based on the budget change. Staff time and hours remain the same. All changes involve additional contract services and can be found in the tables below. The full OWP Amendment No.1 red lined document is available on the trpa.gov/transportation web page beneath Work Program.

Summary of Changes:

Funding changes are in only Direct Costs (Contracts) for Work Elements (WE) 102, 104, 105 and 108. All staff budgets remained the same.

WE102 – Transportation Development Act

The overall budget increased \$25,000 to accommodate a full TDA triennial audit in addition to the annual Financial Audit originally planned.

REVENUES				EXPENDITURES			
Direct Costs:	FY23	Increase (Decrease)	FY23 Amend 1	Direct Costs:	FY23	Increase (Decrease)	FY23 Amend 1
TRPA General	\$649	\$0	\$649	TDA Financial Audits	\$7,448	\$25,000	\$32,448
TDA Administration	\$6,799	\$25,000	\$31,799	Subtotal:	\$7,448	\$25,000	\$32,448
Subtotal:	\$7,448	\$25,000	\$32,448	TMPO Staff:			
TMPO Staff:				TDA Administration	\$33,201	Wages/Benefits:	\$21,045
						Est. Indirect Cost:	\$12,156
				Subtotal:	\$33,201		
				Total:	\$40,649	\$25,000	\$65,649

**Toll Credits are displayed for tracking purposes and are not a form of cash or revenue.

WE104 – Regional Intermodal Planning

The overall budget increased by \$86,631 in Direct Costs to Regional Planning Technical Services. Direct Costs will provide consultant support throughout the year and support our partner agencies planning projects. This will not impact any existing contracts at this time, and support implementation of the Equity Study recommendations expected early in the new year.

REVENUES				EXPENDITURES			
Direct Costs:	FY23	Increase (Decrease)	FY23 Amend 1	Direct Costs:	FY23	Increase (Decrease)	FY23 Amend 1
FHWA PL - Complete Streets (CA)	\$0	\$21,287	\$21,287	Regional Planning Tech Svcs.	\$115,000	\$42,793	\$157,793
-Toll Credits (CA-PL)			\$2,442	Transit/TDM Support Svcs.	\$60,000	\$0	\$60,000
FHWA PL - PL Only (CA)	\$55,512	(\$23,630)	\$31,882	Corridor Planning Svcs.	\$45,675	\$43,838	\$89,513
-Toll Credits (CA-PL)			\$3,657				
FHWA PL (CA 21/22 Carryover) - Expires 6/30/24	\$64,295	\$43,838	\$108,133				
-Toll Credits (CA-Carry)			\$12,403				
FHWA PL (CA 20/21 Carryover) - Expires 6/30/23	\$0	\$17,850	\$17,850				
-Toll Credits (CA-Carry)			\$2,047				
FTA 5303 (CA)	\$39,293	\$22,675	\$61,968				
-Toll Credits (FTA 5303 CA)			\$7,108				
FTA 5303 (CA 21/22 Carryover) - Expires 6/30/24	\$128	\$0	\$128				
-Toll Credits (CA 5303-Carry)			\$15				
FTA 5303 (CA 20/21 Carryover) - Expires 6/30/23	\$25,443	\$4,611	\$30,054				
-Toll Credits (CA 5303-Carry)			\$3,447				
TRPA General	\$36,004	(\$7,209)	\$28,795				
TDA Planning	\$0	\$7,209	\$7,209				
Subtotal:	\$220,675	\$86,631	\$307,306	Subtotal:	\$220,675	\$86,631	\$307,306
TMPO Staff:				TMPO Staff:			
FHWA PL - PL Only (CA)			\$186,279				
-Toll Credits (PL-CA)			\$21,366				
FTA 5303 (CA)			\$37,125				
-Toll Credits (FTA 5303 CA)			\$4,258				
FHWA PL (NV)			\$87,711	Wages/Benefits:			\$226,931
FTA 5303 (NV)			\$32,416	Est. Indirect Cost:			\$131,075
TDA Planning			\$14,475	Subtotal:			\$358,006
Subtotal:			\$358,006	Total:	\$578,681	\$86,631	\$665,312

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Work Element 105 – Transportation Data Management and Forecasting

The overall budget increased by \$58,978 in Direct Costs for Data Collection. This addition will support implementation of recommendations from the Performance Management Data Assessment (WE107) and support the Equity Study.

REVENUES				EXPENDITURES			
Direct Costs:	FY23	Increase (Decrease)	FY23 Amend 1	Direct Costs:	FY23	Increase (Decrease)	FY23 Amend 1
FHWA PL - PL Only (CA)	\$30,081	\$0	\$30,081	Data and Forecasting System Svcs.	\$46,609	\$0	\$46,609
-Toll Credits (PL-CA)		\$3,450		Data Collection Contract Svcs.	\$55,000	\$58,979	\$113,979
FHWA PL (CA 21/22 Carryover) - Expires 6/30/24	\$55,818	\$40,000	\$95,818				
-Toll Credits (CA-Carry)		\$10,990					
FTA 5303 (CA 21/22 Carryover) - Expires 6/30/24	\$15,710	\$18,979	\$34,689				
-Toll Credits (CA 5303-Carry)		\$3,979					
Subtotal:	\$101,609	\$58,979	\$160,588	Subtotal:	\$101,609	\$58,979	\$160,588
TMPO Staff:				TMPO Staff:			
FHWA PL - PL Only (CA)		\$102,194					
-Toll Credits (PL-CA)		\$11,722					
FTA 5303 (CA)		\$3,561					
-Toll Credits (FTA 5303 CA)		\$408					
FHWA PL (NV)		\$153,122		Wages/Benefits:			\$169,715
TDA Planning		\$8,865		Est. Indirect Cost:			\$98,027
Subtotal:		\$267,742		Subtotal:			\$267,742
Total:	\$369,351	\$58,979	\$428,330	Total:	\$369,351	\$58,979	\$428,330

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Work Element 108 – Sustainable Communities Planning

The overall budget increased by \$62,854 in Direct Costs to WE 108.5 and 108.6 only.

WE 108.5				EXPENDITURES			
REVENUES				EXPENDITURES			
Direct Costs:	FY23	Increase (Decrease)	FY23 Amend 1	Direct Costs:	FY23	Increase (Decrease)	FY23 Amend 1
TRPA General	\$4,168	\$7,087	\$11,255	Sustainable Comm Planning	\$36,332	\$61,786	\$98,118
CA-RMRA 21/22 Carryover (WE 108.5) - Expires 2/28/24	\$32,164	\$54,699	\$86,863	Subtotal:	\$36,332	\$61,786	\$98,118
Subtotal:	\$36,332	\$61,786	\$98,118	Subtotal:	\$36,332	\$61,786	\$98,118
TMPO Staff:				TMPO Staff:			
		\$0					\$0
Total:	\$36,332	\$61,786	\$98,118	Total:	\$36,332	\$61,786	\$98,118

**Toll Credits are displayed for tracking purposes and are not a form of cash or revenue.

WE 108.6				EXPENDITURES			
REVENUES				EXPENDITURES			
Direct Costs:	FY23	Increase (Decrease)	FY23 Amend 1	Direct Costs:	FY23	Increase (Decrease)	FY23 Amend 1
TRPA General	\$20,828	\$122	\$20,950	Sustainable Comm Planning	\$181,578	\$1,068	\$182,646
CA-RMRA 22/23 (WE 108.6)	\$160,750	\$946	\$161,696	Subtotal:	\$181,578	\$1,068	\$182,646
Subtotal:	\$181,578	\$1,068	\$182,646	Subtotal:	\$181,578	\$1,068	\$182,646
TMPO Staff:				TMPO Staff:			
Subtotal:		\$0		Subtotal:			\$0
Total:	\$181,578	\$1,068	\$182,646	Total:	\$181,578	\$1,068	\$182,646

**Toll Credits are displayed for tracking purposes and are not a form of cash or revenue.

Contact Information:

If you have any questions or comments regarding this item, please contact Michelle Glickert, at mgllickert@trpa.org or 775-589-5204.

Attachments:

- A. Resolution 2022-__ to adopt Amendment No.1 of the FY2023 TMPO OWP
- B. 2022/2023 Lake Tahoe Transportation Overall Work Plan Amendment No.1 ([link](#))

Attachment A

Resolution 2022-__ to adopt Amendment No.1 of the FY2023 TMPO OWP

TAHOE METROPOLITAN PLANNING ORGANIZATION
TMPO RESOLUTION NO. 2022-__

ADOPTION OF AMENDMENT No.1 OF THE TMPO 2023 TRANSPORTATION OVERALL WORK PROGRAM

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

WHEREAS, each MPO is required to adopt an Overall Work Program (OWP), describing the transportation planning program and the planning activities anticipated for the Region over the next fiscal year; and

WHEREAS, the Federal Highway Administration, the Federal Transit Administration, Caltrans and the Nevada Department of Transportation have approved the 2023 OWP; and

WHEREAS, staff has prepared Amendment No.1 to the OWP that includes modifications to the budget and activities; and

WHEREAS, staff is requesting that the TMPO Governing Board adopt Amendment No.1 of the 2023 OWP and authorize the submittal to state and federal agencies for approval as necessary, and authorize staff to take actions necessary for this approval; and

NOW, THEREFORE, BE IT RESOLVED that the Governing Board of the Tahoe Metropolitan Planning Organization adopts this resolution approving Amendment No.1 of the 2023 Tahoe Transportation Overall Work Program.

PASSED AND ADOPTED by the Governing Board of the Tahoe Metropolitan Planning Organization at its regular meeting held on November 16, 2022, by the following vote:

Ayes:

Nays:

Abstain:

Absent:

Cindy Gustafson – Chair
Tahoe Metropolitan Planning Organization
Governing Board

Attachment B

2022/2023 Lake Tahoe Transportation Overall Work Plan Amendment No.1



STAFF REPORT

Date: November 9, 2022

To: TMPO Governing Board

From: TRPA/TMPO Staff

Subject: Resolution authorizing the submittal of Request for Funds to Regional Early Action Planning Grant 2.0 (REAP 2.0) Metropolitan Planning Organization Allocation Program

Summary and Staff Recommendation:

The REAP 2.0 grant program, administered by the California Department of Housing and Community Development (HCD), seeks to accelerate progress towards state housing goals and climate commitments through regional actions. Eligible applicants for REAP 2.0 funds are metropolitan planning organizations (MPOs) and councils of governments. As the MPO for the Tahoe region, the Tahoe Regional Planning Agency/Tahoe Metropolitan Planning Organization is eligible to apply for \$604,134.15 by December 31, 2022. TRPA applied for and was granted a cash advance allocation from these funds in the amount of \$36,895 on October 17, 2022 to pay for staff time to develop the full application, leaving \$567,239.15 remaining for which to apply.

TRPA staff recommends that the TMPO Governing Board approve a resolution (Attachment A) authorizing the Executive Director to execute the full allocation request on behalf of the Tahoe Regional Planning Agency/Tahoe Metropolitan Planning Organization for \$567,239.15.

Required Motion:

To authorize submittal of Request for Funds, the Board must adopt the following motion:

- 1) A motion to approve a resolution (Attachment A) authorizing the Executive Director to submit a Request for Funds to the California Department of Housing and Community Development.

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

Background and Discussion:

The California Department of Housing and Community Development (HCD), in collaboration with the Office of Planning and Research (OPR), the Strategic Growth Council (SGC), and the State Air Resources Board (CARB), released the [Notice of Funding Availability and Final Guidelines – Metropolitan Planning Organization Allocation Regional Early Action Planning Grant \(REAP 2.0\)](#) on July 26, 2022. The principal goal of REAP 2.0 is to make funding available to Metropolitan Planning Organizations (MPOs) and other regional entities for “Transformative Planning and Implementation Activities” that meet housing and equity goals, support infill development, reduce vehicle miles traveled (VMT) per capita, and advance implementation of the region’s Sustainable Communities Strategy (SCS).

TRPA's grant application will specify that TRPA will retain the bulk of the funds in-house to advance the major priorities of the Tahoe Living Working Group. The application will also include evaluation metrics for determining the final set of proposed uses. After approval of the funding agreement by HCD, TRPA will release a request for proposal submittals to entities eligible to receive suballocations of the funds and will evaluate submittals using the final evaluation criteria. TRPA will also develop its own set of policy proposals to be evaluated against the criteria. TRPA may suballocate some of the funds to other eligible entities, such as local jurisdictions, for proposals that advance the priority actions of the Tahoe Living Working Group, allowing some policy development to be carried out concurrently. TRPA staff will share the final set of proposed uses for the funds with the Tahoe Living Working Group, with final approval of the TRPA Executive Director.

All public outreach materials, memos, proposed evaluation metrics and input received on the REAP 2.0 MPO allocation program are available on the Tahoe Living Working Group webpage:

<https://www.trpa.gov/tahoe-living-housing-and-community-revitalization-working-group-2/>.

Next Steps:

TRPA will submit the full application for the MPO allocation of the REAP funds to HCD before the December 31, 2022 deadline. After approval by HCD, TRPA will set a deadline for final submittal of proposals from eligible entities, as well as a timeline for proposal selection and contract execution.

TRPA is also in discussion with partners about whether to apply for the Higher Impact Transformative Grant program of REAP 2.0, a competitive program for applications of between \$5 and \$15 million. That application is also due December 31, 2022. If TRPA staff decides to apply for this grant, staff will bring forward an authorizing resolution in December.

Contact Information:

For questions regarding this agenda item, please contact Karen Fink at kfink@trpa.gov or (775) 589-5258.

Attachment:

- A. Resolution 2022-__ authorizing the Tahoe Metropolitan Planning Organization to submit a request for funds to the REAP 2.0 program

Attachment A

Resolution 2022-__ authorizing the Tahoe Metropolitan Planning Organization to submit a request for
funds to the REAP 2.0 program

TAHOE METROPOLITAN PLANNING ORGANIZATION
TMPO RESOLUTION NO. 2022-__

The **Tahoe Regional Planning Agency**, serving as the Tahoe Metropolitan Planning Organization (“Applicant”) hereby consents to, adopts and ratifies the following resolution:

WHEREAS, the California Department of Housing and Community Development (“Department”) is authorized to provide up to \$510,000,000 to Metropolitan Planning Organizations and Councils of Government (“Applicant”) listed in Health and Safety Code Section 50515.08, subdivisions (a)(1)-(6) under the Regional Early Action Planning grants program (REAP 2.0), as detailed in Health and Safety Code Section 50515.08-10;

WHEREAS the State of California (the “State”), Department of Housing and Community Development (“Department”) issued a Notice of Funding Availability on July 26, 2022 for REAP 2.0 grants available to Metropolitan Planning Organizations and Councils of Government;

WHEREAS Applicant is a Metropolitan Planning Organization or Council of Government eligible to submit a Request for Funds pursuant to Health and Safety Code Section 50515.08(c)(3) to develop and accelerate the implementation of the requirements described in Health and Safety Code section 50515.08(c)(1).

WHEREAS the Department shall approve the Request for Funds, subject to the terms and conditions of Eligibility, Guidelines, NOFAs, Program requirements, and the Standard Agreement by and between the Department and REAP 2.0 Grant Recipients;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The **Tahoe Regional Planning Agency** is hereby authorized and directed to request an allocation of funds not to exceed **\$604,134.15** (the amount allocated pursuant to Health and Safety Code section 50515.07(a) consistent with the methodology described in 50515.09(a)). If the **Tahoe Regional Planning Agency** received an advance allocation of REAP 2.0 funds, the **Tahoe Regional Planning Agency** Request for Funds may not exceed **\$567,239.15** (the difference between the advance allocation amount received and the total amount allocated pursuant to Health and Safety Code section 50515.07(a) consistent with the methodology described in 50515.09(a)).
2. The **Executive Director** is authorized to execute the Request for Funds, on behalf of the **Tahoe Regional Planning Agency** as required by the Department for receipt of REAP 2.0 funds.
3. When the **Tahoe Regional Planning Agency** receives an allocation of REAP 2.0 funds in the authorized amount of **\$567,239.15** from the Department pursuant to the above referenced Request for Funds, it represents and certifies that it will use all such funds only for eligible activities as set forth in Health and Safety Code section 50515.08(c)(1), as approved by the Department and in accordance with all REAP 2.0 requirements, guidelines, all applicable state and federal statutes, rules, regulations, and the Standard Agreement executed by and between the Applicant **Tahoe Regional Planning Agency** and the Department.

4. The **Executive Director** is authorized to enter into, execute, and deliver a State of California Standard Agreement for the amount of **\$567,239.15**, and any and all other documents required or deemed necessary or appropriate to evidence and secure the REAP 2.0 Allocation, the **Tahoe Regional Planning Agency's** obligations related thereto and all amendments the Department deems necessary and in accordance with REAP 2.0.

PASSED AND ADOPTED at a regular meeting of the **Tahoe Metropolitan Planning Organization** this 16th day of November, 2022 by the following vote:

Ayes:

Nays:

Abstain:

Absent:

Cindy Gustafson, Chair
Tahoe Metropolitan Planning Organization
Governing Board

INSTRUCTION: The attesting officer cannot be the person identified in the resolution as the authorized signor.

ATTEST: _____
Marja Ambler, Clerk to the Board

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: November 9, 2022

To: TRPA Governing Board

From: TRPA Staff

Subject: Briefing on the Environmental Improvement Strategic (EIP) Initiative

Summary and Staff Recommendation:

Staff will provide an update on the EIP Strategic Initiative. The presentation will briefly cover the history and accomplishments of the program and provide an overview of the EIP collaborative governance structure, funding, priorities, and how the strategic initiative seeks to increase the pace and scale of the program.

Project Description/Background:

The EIP is the implementation arm of the Regional Plan and centers around proactive project implementation to accelerate threshold attainment. This bi-state, cross-boundary restoration partnership has implemented more than 700 projects since 1997, totaling 2.6 billion in investments, to improve the health of the Tahoe Basin. The [EIP 2021 Accomplishments Report](#) provides a summary of the program focus areas and the most recent projects and priorities. Focus Areas include:

- Watersheds + Water Quality
- Forest Health
- Transportation + Sustainable Recreation
- Science, Stewardship + Accountability

The EIP Strategic Initiative builds on the EIP's success over the last 25 years. This initiative provides a multi-pronged approach to increase the pace and scale of program implementation to keep pace with emerging threats such as climate change.

This Strategic Initiative includes the following activities:

- **Cutting the Green Tape:** EIP projects often require environmental review and multiple permits from a variety of agencies that can take months to years to complete. These processes are important to ensure projects are implemented strategically and in an environmentally beneficial manner with public input. TRPA staff are collaborating with partner agencies to identify opportunities to be more efficient in these processes to ensure environmentally beneficial projects can move forward to implementation and keep pace with emerging threats. This can be through permitting efficiencies, process improvements, improving interagency coordination, or policy/regulatory changes.

TRPA is working with the Consensus Building Institute (CBI) to complete a Case Study on permitting and implementation of the Taylor Tallac Ecosystem Restoration Project. CBI recently convened a multi-agency workshop and report on opportunities for improving processes for future EIP projects. Staff will provide an overview of this case study and next steps.

- **Augment funding for EIP Implementation:** TRPA's strategic advocacy alongside basin partners has been integral in augmenting federal appropriations under the Lake Tahoe Restoration Act (LTRA) for the past several years. This year, TRPA staff will execute a funding agreement with the U.S. Forest Service Lake Tahoe Basin Management Unit to deliver LTRA funds to non-federal partners. Executing this agreement will allow a greater capacity and timeframe to deliver funds to the highest priority projects.
- **Engage in the California and National Landscape Stewardship Networks:** Participate in networks of similar landscape-scale stewardship collaboratives to increase shared learning and problem-solving with other practitioners. Engagement in these networks also builds capacity and awareness for cross-boundary conservation work that helps advance state and national initiatives.

Contact Information:

For questions regarding the EIP Strategic Initiative, please contact Kimberly Chevallier, Environmental Improvement Department Manager, at 775.589.5263 or kchevallier@trpa.gov.



STAFF REPORT

Date: November 9, 2022

To: TRPA Governing Board

From: TRPA Staff

Subject: Update on Forest Health Progress and Priorities from Tahoe Fire and Fuels Team including Caldor Fire Recovery

Summary and Staff Recommendation:

Staff will provide an informational update on Lake Tahoe's Forest Health Program. The presentation will provide an overview of Tahoe Fire and Fuels Team activities, annual community outreach, workforce development, and program funding and priorities, including Caldor Fire recovery and restoration. This item is for informational purposes and no action is required.

Background:

The Tahoe Fire and Fuels Team (TFFT) and Basin partners are busy completing a variety of priority forest health projects and initiatives this year. Partners are working together to provide unified messaging to the community around fire safety, fire preparedness, and defensible space. Additionally, TFFT is focusing on identifying challenges and potential solutions to workforce development to increase capacity and accomplish critical forest health work. Current initiatives include developing a Community College Forestry Program, investigating biomass opportunities regionally, and wood product development in the Carson Valley. Lastly, several priority forest health and fuels reductions projects made significant progress this year towards planning, implementation, or completion. Staff will present on these projects and provide an update on Caldor Fire Recovery and future restoration priorities. Lastly, staff will discuss strategic funding allocation and prioritization for upcoming projects.

Contact Information:

For questions regarding this agenda item, please contact Kat McIntyre, at (412) 225-2181 or kmcintyre@trpa.gov



Tahoe In Brief

Tahoe Regional Planning Agency (TRPA) Governing Board Monthly Report

November 2022

TRPA CALENDAR AT-A-GLANCE

NOVEMBER 2022

- November 16: TRPA Governing Board Meeting*

DECEMBER 2022

- December 7: TRPA Advisory Planning Commission Meeting, 9:30 a.m.
- December 14: TRPA Governing Board Meeting*

JANUARY 2023

- January 11: TRPA Advisory Planning Commission Meeting, 9:30 a.m.
- January 25: TRPA Governing Board Meeting

FEBRUARY 2023

- February 8: TRPA Advisory Planning Commission Meeting, 9:30 a.m.
- February 22: TRPA Governing Board Meeting

*Each month from July to December the meeting theme will relate to one of the strategic initiatives in the 2022-2023 Annual Work Plan. The themes by month are:

- July: Housing
- August: Innovation
- September: Transportation and Destination Stewardship
- October: Climate Change
- November: Environmental Improvement Program and Forest Health
- December: Thresholds

TRPA STRATEGIC 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**

BUILDING RESILIENCY: CLIMATE CHANGE & SUSTAINABILITY STRATEGIC INITIATIVE

Every TRPA initiative includes strategies to strengthen the resilience of Tahoe's environment, communities, and economy to the emerging stresses of climate change and to improve the region's sustainability. The Climate Change Strategic Initiative harmonizes the goals of both states and local governments in the Tahoe Region while maintaining the region's reputation as a global leader in sustainability.

Climate Smart Code: TRPA staff received feedback from the Governing Board at the October meeting on priority Code of Ordinances updates to create a more climate smart Code of Ordinances. Board priorities will be incorporated with other stakeholder input that has been received. A proposed work program for implementing the proposed changes will be presented to the Governing Board in early 2023.

TRPA Staff Contact: Devin Middlebrook, Sustainability Program Manager
775-589-5230, dmiddlebrook@trpa.gov

Associated Working Group(s)/Committee(s):

- Tahoe Interagency Executive Steering Committee

Website(s):

- <https://www.trpa.gov/programs/climate-resilience/>
- <https://sustainability.laketahoeinfo.org/>

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.

Tahoe Housing Catalyst Program/Regional Early Action Planning Grant (REAP 2.0)

TRPA is preparing to submit the region's application to the "Metropolitan Planning Organization allocation" sub-grant of the REAP 2.0 program by the due date of December 31, 2022. The Tahoe allocation of the REAP funds will be used to advance the priority actions identified by the Tahoe Living Working Group. At the November Governing Board meeting, staff will ask the board for authorization to apply for these funds. TRPA is also working with partners to determine whether the region will apply to the larger, competitive "Higher Impact Transformative" (HIT) sub-grant of the REAP program. If TRPA decides to proceed as the lead entity on a HIT grant application, staff will return to the board in December with a request for authorization to apply.

Coverage, Density, and Height Development Right Standards Amendments

As part of Phase 2 of the Tahoe Living Housing and Community Development Strategic Initiative, staff is completing consultant contracts for draft code language and development of an initial environmental checklist (IEC) for the coverage, density, and height changes discussed by the Governing Board in July. The IEC will determine the level of additional environmental review needed. Staff anticipates bringing discussion on this to the Tahoe Living Working Group in early 2023.

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.

MEASURING WHAT MATTERS: THRESHOLD & MONITORING UPDATE STRATEGIC INITIATIVE

This initiative focuses on how information is collected, analyzed, and applied to support better decisions that accelerate environmental improvement. The initiative's scope includes review of the threshold standards that establish the basin's goals and updating the performance measures the Environmental Improvement Program uses to assess effectiveness of all components of the Regional Plan.

At the October meeting of the Threshold Update Initiative Stakeholders Working Group the discussion focused on revisions to the watershed and water quality standards, and the use of the state and federal aligned dataset for the Forest Health Threshold Standards. The group will next meet in December to review progress in all focus areas. More information about the working group meetings can be found at:

- October meeting materials: <https://www.trpa.gov/october-12-2022-threshold-update-initiative-working-group/>
- August meeting materials: <https://www.trpa.gov/august-10-2022-threshold-update-initiative-stakeholders-working-group/>
- July meeting materials: <https://www.trpa.gov/july-13-2022-threshold-update-initiative-stakeholders-working-group/>

TRPA Staff Contact: Dan Segan, Principal Natural Resource Analyst
775-589-5233
dsegan@trpa.gov

Associated Working Group(s)/Committee(s):

- Threshold Update Initiative Stakeholders Working Group
- Tahoe Science Advisory Council

Website(s):

- Tahoe Science Advisory Council: <https://www.tahoesciencecouncil.org/>
- Threshold Dashboard: <https://thresholds.laketahoeinfo.org/>

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

Through the first ten months of 2022, TRPA has received 975 permit applications, eight percent higher than were received during same period in 2021, when TRPA received the highest number of applications ever.

In the last month, 100 percent of applications received were reviewed for completeness within 30 days of application submittal. Ninety-four percent of permits were issued within 120 days of TRPA receiving a complete application. Out of the 167 applications currently in review, thirteen applications have exceeded 120 days in TRPA review time (all are shorezone or buoy applications). See tables on next page for more permitting details.

TRPA Staff Contact: Ken Kasman, Research & Analysis Department Manager
775-589-5253, kkasman@trpa.org

Website(s): Not a direct website for the initiative but associated ones include:

- <https://www.laketahoeinfo.org/>

TRPA Applications by Project Type through October 31, 2022

TRPA Applications by Project Type	2020	2021	2022 YTD
Residential Projects	220	242	227
Commercial Projects	9	11	16
Recreation/Public Service Projects	30	44	46
Shorezone/Lakezone Projects	48	130	64
Grading Projects	38	37	28
Verifications and Banking	374	427	348
Transfers of Development	29	55	53
Other	97	150	193
Grand Total	845	1096	975

Completeness Review Performance

	<u>August 31, 2022</u>	<u>September 30, 2022</u>	<u>October 31, 2022</u>
Completeness Reviews Finished During Period	84	108	100
Reviewed within 30 Days of Submission	84	108	100
Over 30 Days from Submission	0	0	0
Percent Over 30 Days	0%	0%	0%
Applications Not Yet Reviewed for Completeness	39	38	
Under 30 Days since submission	0	38	40
Over 30 Days since submission	0	0	40

Application Review Performance

	<u>August 31, 2022</u>	<u>September 30, 2022</u>	<u>October 31, 2022</u>
Issued Permits	82	113	70
Issued within 120 Days of Complete Application	78	111	34
Issued over 120 Days from Complete Application	4	2	4
Percent Over 120 Days	5%	2%	6%
Files with Issued Permits - Over 120 Days:			
ERSP2020-0123 (Shorezone; 204 days)	ERSP2021-1083 (Grading; 121 days)	MOOR2021-1469 (Mooring Permit; 132 days)	
ERSP2021-0918 (Rec-Public Svc; 199 days)	ERSP2022-0001 (Shorezone; 196 days)	ERSP2021-1906 (Shorezone; 251 days)	
ERSP2019-1245-01 (Shorezone; 152 days)		ERSP2022-0041 (Shorezone; 242 days)	
ERSP2022-0046 (Shorezone; 209 days)		ERSP2022-0327 (Shorezone; 226 days)	
	<u>August 31, 2022</u>	<u>September 30, 2022</u>	<u>October 31, 2022</u>
Applications in Review	141	140	167
Under 120 Days in TRPA Review	133	131	154
Over 120 Days in TRPA Review	8	9	13
Percent Over 120 Days	5.7%	6.4%	7.8%
Files In Review - Over 120 Days:			
ERSP2021-1966 (Shore-Lakezone; 238 days)	ERSP2021-1966 (Shore-Lakezone; 268 days)	ERSP2021-1966 (Shore-Lakezone; 300 days)	
MOOR2021-1899 (Mooring Permit; 204 days)	MOOR2021-1899 (Mooring Permit; 234 days)	ERSP2022-0242 (Shore-Lakezone; 242 days)	
MOOR2021-1680 (Mooring Permit; 185 days)	MOOR2021-1680 (Mooring Permit; 215 days)	ERSP2022-0327 (Shore-Lakezone; 231 days)	
ERSP2022-0242 (Shore-Lakezone; 180 days)	ERSP2022-0242 (Shore-Lakezone; 210 days)	MOOR2021-1908 (Mooring Permit; 210 days)	

ERSP2022-0327 (Shore-Lakezone; 169 days)	ERSP2022-0327 (Shore-Lakezone; 199 days)	MOOR2021-1889 (Mooring Permit; 208 days)
ERSP2022-0001 (Shore-Lakezone, 168 Days)	MOOR2021-1908 (Mooring Permit; 178 days)	ERSP2022-1029 (Shore-Lakezone; 154 days)
MOOR2021-1908 (Mooring Permit; 148 days)	MOOR2021-1889 (Mooring Permit; 176 days)	ERSP2022-1062 (Shore-Lakezone; 151 days)
MOOR2021-1889 (Mooring Permit; 146 days)	MOOR2021-1565 (Mooring Permit; 122 days)	MOOR2021-1798 (Mooring Permit; 148 days)
	ERSP2022-1029 (Shore-Lakezone; 122 days)	MOOR2021-1894 (Mooring Permit; 140 days)
		ERSP2022-1124 (Shore-Lakezone; 139 days)
		ERSP2022-1063 (Shore-Lakezone; 131 days)
		ERSP2022-0401 (Shore-Lakezone; 125 days)
		ERSP2022-1117 (Shore-Lakezone; 125 days)

Applications Requiring Additional Information from Applicants to Complete TRPA Review

	<u>August 31, 2022</u>	<u>September 30, 2022</u>	<u>October 31, 2022</u>
Additional Information	97	86	69

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.

ADDITIONAL UPCOMING ITEMS OF INTEREST

Filing Fee Schedule Updated

TRPA Permitting and Finance Departments secured the Governing Board's approval for an updated application filing fee schedule. Fees were adjusted for inflation and increased by 8.3 percent. The new fees will be effective January 23, 2023.

Executive Director Recruitment

The Governing Board voted unanimously at its October meeting to offer the position of executive director to Julie Regan following a national search and public evaluation process. The board will vote on the final agreement at its next regularly scheduled meeting November 16.

STAFF REPORT

Date: November 9, 2022

To: TRPA Forest Health and Wildfire Committee

From: TRPA Staff

Subject: Presentation on On-Site Biomass Energy Unit to be proposed at South Tahoe Refuse

Summary and Staff Recommendation:

TRPA staff, Wisewood Energy, and South Tahoe Refuse and Recycling Services ("STR") will present on an on-site small biomass unit opportunity at the South Tahoe Refuse collection center. This item is for informational and discussion purposes and no action is requested.

Background:

The STR Center, located in South Lake Tahoe, offers a variety of community services including waste disposal, green waste disposal and chipping, and recycling. STR currently receives approximately eight thousand tons of green waste from defensible space and fuels reduction work on local community plots. Recently, the amount of green waste has increased due to the Caldor Fire and community recognition of the critical importance of fuels work to avert catastrophic wildfire. All green waste received at the STR facility is currently transported to the Carson Valley for composting or disposal in a landfill. Transporting waste outside of the Basin can result in environmental impacts such as increased vehicle miles traveled, vehicle emissions, and truck traffic.

In December 2021, TRPA staff began discussions with community partners including the City of South Lake Tahoe, STR, and Wisewood Energy to discuss the potential for establishing a small on-site biomass unit at the STR collection center. The proposed unit would utilize a portion of the green waste currently to offset energy use at STR while also reducing trips needed to the Carson Valley.

Currently, TRPA Code of Ordinances (Section 65.1.F.) prohibits the acceptance of biofuel applications until further research demonstrates the safety and environmental compatibility of such facilities. Wisewood Energy produced the attached report that outlines the environmental, safety, and community compatibility of this unit. TRPA staff anticipates this report provides enough information to accept an application, on a one-time basis, from STR and Wisewood regarding the on-site biomass unit. The report is attached for Committee review. If an application is accepted, the application and environmental analysis is anticipated to be presented to the full Governing Board in mid to late 2023 for final decision.

Contact Information:

For questions regarding this agenda item, please contact Kat McIntyre, at (412) 225-2181 or
kmcintyre@trpa.gov

Attachments:

- A. Environmental and Safety Assessment for South Tahoe Refuse Proposed CHP Unit
- B. Letters of Support from Partners

Attachment A

Environmental and Safety Assessment for South Tahoe Refuse Proposed CHP Unit

FOREST HEALTH & WILDFIRE COMMITTEE
AGENDA ITEM NO. 3

Environmental & Safety Assessment for South Tahoe Refuse Proposed CHP Unit

NOVEMBER 2022 • SOUTH LAKE TAHOE, CA

PREPARED FOR



SOUTH TAHOE REFUSE
2140 Ruth Ave.
South Lake Tahoe, CA 96150

PREPARED BY

WISEWOOD ENERGY
6800 NE 59th PI
Portland, OR 97218

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List of Attachments

Attachment 1 – Existing Noise Levels Data Collection

Executive Summary

Like other forested regions in the US West, drought, a hotter climate, and past management practices have contributed to an increased risk of disease, insect infestations, and high-intensity wildfire across the Sierra Nevadas^{1,2,3}. Since 1900, only six fires have burned over 200,000 acres in the region, all of which have occurred in the last ten years⁴. This includes both the Dixie and Caldor Fires in 2021, which became the first known fires to ignite in western slopes, crest the ridgeline, and burn down the eastern side, the Caldor Fire causing the entire city of South Lake Tahoe to evacuate. Meanwhile, communities across the state of California are experiencing a crisis in energy reliability, as utilities pre-emptively shut down power lines in an attempt to mitigate the risk of causing new fires. Renewable energy solutions continue to be prioritized to improve grid resilience, and in the Tahoe Basin, new goals have been set to source 100% of the city's electricity from renewable resources 24 hours a day, seven days a week.

Increasing the utilization of low value biomass material in targeted energy applications is one solution to addressing these challenges in the Sierra Nevada region. Numerous studies have documented the efficacy of forest management activities that reduce the density of woody biomass material in contributing to fire mitigation efforts, including reducing fire intensity, creating fuel breaks for fire fighters to engage more safely, and protecting communities^{5,6}. Such fuel reduction treatments and defensible space activities generate large volumes of woody material that is typically left in piles to decay or be burned, or, if located near city centers, transported to waste collection sites where it is processed and disposed of elsewhere. Disposing of this material in local, appropriately designed energy applications can support forest management activities that reduce the risk of fire, avoid negative impacts from its alternative fate, and offer an always-on, 24/7 energy resource that helps meet renewable energy goals.

Currently the Tahoe Regional Planning Agency Code of Ordinances includes a moratorium on accepting applications for all new biomass energy facilities in the Tahoe Basin until additional analysis establishes that such projects can be implemented safely and with protection of the environment. The moratorium was put into place in 2012, and is widely understood to be in response to a 2 MW power plant proposal that met with public opposition at that time. However, wood energy systems can be designed for a variety of applications,

¹ Vose, J.M. et al. 2018: Forests. In *Impacts, Risks, and Adaptation in the United States: Fourth National Climate Assessment, Volume II* (Reidmiller, D.R., C.W. Avery, D.R. Easterling, K.E. Kunkel, K.L.M. Lewis, T.K. Maycock, and B.C. Stewart (eds.)). U.S. Global Change Research Program, Washington, DC, USA, pp. 232–267. <https://nca2018.globalchange.gov/chapter/forests>.

² McMahon, Devin et al. Mass tree mortality, fuels, and fire: A guide for Sierra Nevada forest landowners. *University of California Agriculture and Natural Resources*. August 2020. <https://anrcatalog.ucanr.edu/pdf/8683.pdf>

³ Steel, Zachary L. et al. 2022. Mega-disturbances cause rapid decline of mature conifer forest habitat in California. *Ecological Applications*.

⁴ 2021: Another historic Sierra Nevada fire season. Sierra Nevada Conservancy. <https://sierranevada.ca.gov/2021-another-historic-sierra-nevada-fire-season/>.

⁵ Kalies, Elizabeth L. and Larissa L. Yocom Ken. 2016. Tamm Review: Are fuel treatments effective at achieving ecological and social objectives? A systematic review. *Forest Ecology and Management*. 375, 84-95.

⁶ Yoohyun, Jung and Paula Friedrich. "These maps show where prescribed burns helped curb the Caldor Fire's rapid growth". *San Francisco Chronicle*. September 17 2021.

contexts, and sizes, and smaller systems designed to serve individual end users can be aligned with relevant environmental requirements where larger power plants may not be.

One such system is being proposed for South Tahoe Refuse (STR), a service provider offering solid waste collection, recycling and disposal services to residents and businesses in the South Tahoe area. STR currently receives approximately 10,000 tons of waste woody material from the area each year, processes it at their South Lake Tahoe site, and transports it to Carson Valley Nevada for disposal as compost. A 125 kW biomass CHP system is estimated to offset nearly all of the facility's grid electricity and natural gas usage, using just 10% of the material currently received at the site and reducing truck traffic (and associated emissions) out of the Tahoe Basin by approximately 72 trucks per year. Other impacts, such as physical footprint, fuel demand, emissions, and noise, are all relatively minor or even positive compared to a business as usual scenario. In documenting these impacts, this Assessment is intended to demonstrate the safety and environmental compatibility of the proposed STR biomass unit, and support a determination that STR be allowed to submit an application for project consideration and potential approval through TRPA.

1 Project Background

1.1 A FOREST HEALTH & ENERGY CRISIS

Past forest management activities that replaced species and canopy heterogeneity with even-aged stands and prioritized extinguishing all wildfires have led to degrading forest health across the US West, including the Sierra Nevada^{7,8,9}. Forested landscapes have become more dense with small diameter vegetation and the influx of less fire-adapted species, which has been exacerbated by drought and a hotter climate. These conditions have contributed to an increase in the scale and intensity of wildfire; for example, only six fires have burned over 200,000 acres in the region since 1900, all of which have occurred in the last ten years¹⁰. This includes both the Dixie and Caldor Fires in 2021, which became the first known fires to ignite in western slopes, crest the ridgeline, and burn down the eastern side, the Caldor Fire causing the entire city of South Lake Tahoe to evacuate. Meanwhile, energy resilience is becoming a critical consideration for communities as utilities pre-emptively shut down power lines in an attempt to mitigate the risk of sparking new fires. Distributed renewable energy resources that can continue operating during a grid outage are increasingly sought after, especially pairing reliable, on-demand generation to complement intermittent resources like solar and wind. For example, in the Tahoe Basin, new goals have been set to source 100% of the city's electricity from renewable resources 24 hours a day, seven days a week.

Increasing the utilization of low value biomass material in targeted energy applications is one solution to addressing these challenges in the Sierra Nevada region. Numerous studies have documented the efficacy of forest management activities that reduce the density of woody biomass material in contributing to fire mitigation efforts, including reducing fire intensity, creating fuel breaks for fire fighters to engage more safely, and protecting communities^{11,12}. Such fuel reduction treatments and defensible space activities generate large volumes of woody material that is typically left in piles to decay or be burned, or, if located near city centers, transported to waste collection sites where it is processed and disposed of elsewhere. Disposing of this material in local, appropriately designed energy applications can support forest management activities that reduce the risk of fire, avoid negative impacts from its alternative fate, and offer an always-on, 24/7 energy resource that helps meet renewable energy goals.

⁷ Vose, J.M. et al. 2018: Forests. In *Impacts, Risks, and Adaptation in the United States: Fourth National Climate Assessment, Volume II* (Reidmiller, D.R., C.W. Avery, D.R. Easterling, K.E. Kunkel, K.L.M. Lewis, T.K. Maycock, and B.C. Stewart (eds.)). U.S. Global Change Research Program, Washington, DC, USA, pp. 232–267. <https://nca2018.globalchange.gov/chapter/forests>.

⁸ McMahon, Devin et al. Mass tree mortality, fuels, and fire: A guide for Sierra Nevada forest landowners. University of California Agriculture and Natural Resources. August 2020. <https://anrcatalog.ucanr.edu/pdf/8683.pdf>

⁹ Steel, Zachary L. et al. 2022. Mega-disturbances cause rapid decline of mature conifer forest habitat in California. *Ecological Applications*.

¹⁰ 2021: Another historic Sierra Nevada fire season. Sierra Nevada Conservancy. <https://sierranevada.ca.gov/2021-another-historic-sierra-nevada-fire-season/>.

¹¹ Kalies, Elizabeth L. and Larissa L. Yocom Ken. 2016. Tamm Review: Are fuel treatments effective at achieving ecological and social objectives? A systematic review. *Forest Ecology and Management*. 375, 84-95.

¹² Yoohyun, Jung and Paula Friedrich. "These maps show where prescribed burns helped curb the Caldor Fire's rapid growth". San Francisco Chronicle. September 17 2021.

Such wood energy systems are common in mountain towns across the globe, whether generating energy for a large city, a small village, or a single facility. Operating biomass examples in the United States include a small combined heat-and-power system serving the Health and Human Services Center in Quincy California; a district energy system in eastern Oregon that provides space heating to an elementary school, sheriff's office, courthouse, and mental health facility; and a district system offsetting one million gallons of fuel oil annually at Vermont's Middlebury College. Other wood energy projects in or nearing construction include a district energy plant at Northstar Community Services District in Placer County California, district heating for Mount Bachelor Ski Resort in Deschutes County Oregon, a 2 MW power plant in North Fork California, and a 125 kW CHP system supporting a wood yard in Tuolumne County California. Examples abound outside of the United States, and include combined heat-and-power plants net metering commercial operations in Italy, a small scale power plant in Scotland, and district heating in Austria.



FIGURE 1: In Plumas County California, a 400kW (thermal) boiler with a 35kW (electric) Organic Rankine Cycle supplements geothermal heating for the Health & Human Services Center, and net meters electricity to the grid.



FIGURE 2: 135kw wood gasifier combined heat-and-power facility serving a meat processing operation in Italy.



FIGURE 3: Example of 125kw gasifier system in South Tyrol, Italy.



FIGURE 4: Wood energy is common for district energy in mountain towns, like this facility in Lech Austria that provides heat to over 400 properties, including hotels and ski lodges.

1.2 THE SOUTH TAHOE REFUSE PROJECT

South Tahoe Refuse & Recycling (STR) offers solid waste collection, recycling and disposal services to residents and businesses in the South Tahoe area, operating under franchise agreements with the City of South Lake Tahoe, El Dorado County, and Douglas County. The Transfer Station, including a Material Recovery Facility (MRF) and Resource Recovery Facility (RRF) is located at 2140 Ruth Ave., South Lake Tahoe, California. As part of its waste collection services, STR receives woody material from the surrounding area, including green yard debris, clean construction and demolition (C&D) material, and residual waste from defensible space and fire mitigation activities (i.e., small trees, tops, and limbs). Currently the majority of this material is chipped at the STR facility and trucked out of the Tahoe Basin to Carson Valley, Nevada for composting. In recent years STR averaged approximately 8,000 tons of woody material received and processed each year; however, as local awareness around Firewise, defensible space methods, and other fire mitigation activities continues to grow, woody material received at STR has increased to an average of about 10,000 tons per year, and is expected to remain elevated into the future, with 2022 on track to surpass previous years. Meanwhile, composting outlets have indicated a limited availability to take additional woody material in the future due their own business and site constraints, contributing to a need to consider alternative disposal options.

In early 2021, STR began discussions with Wisewood Energy, a wood energy developer based in Oregon, along with other community organizations, to explore a small-scale combined heat-and-power (CHP) system that would use wood chips from STR operations to generate energy, offsetting grid electricity and natural gas consumed at the STR facility as well as reducing the transportation of wood chips out of the Basin. After preliminary energy modeling, a net metered 125 kW biomass CHP system was estimated to be sufficient to cover the majority of both STR's annual electricity needs and its heating, using about 1,000 tons of wood chips each year. This formed the basis of design for further investigation and analysis into the viability of such a system at STR.

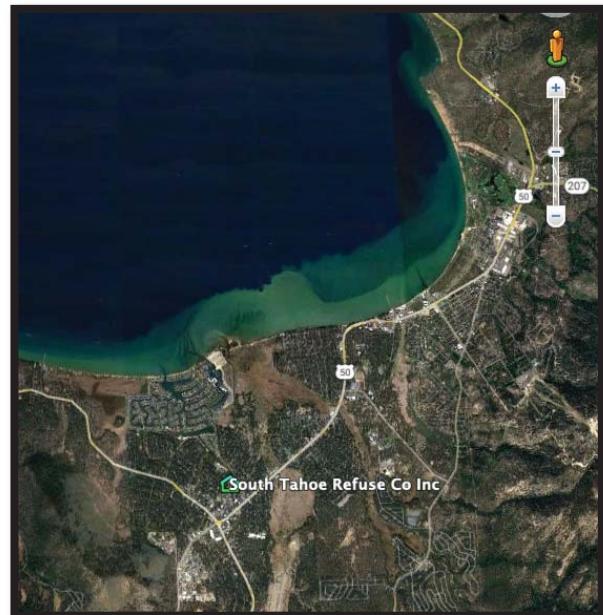


FIGURE 5: South Tahoe Refuse site in South Lake Tahoe.

Meanwhile, composting outlets have indicated a limited availability to take additional woody material in the future due their own business and site constraints, contributing to a need to consider alternative disposal options.

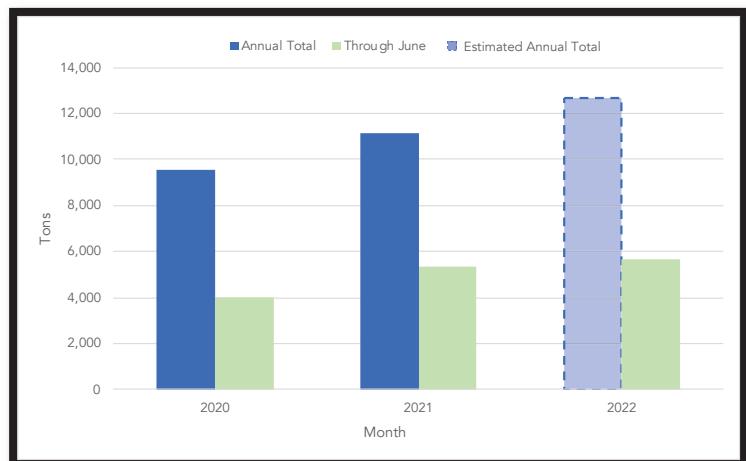


FIGURE 6: Tons of woody material received at STR and transported out of the Tahoe Basin for composting in 2020, 2021, and 2022, shown as annual totals and through June of each year. The annual total for 2022 is estimated based on data available through June. Woody material processed at STR has continued to increase by about 15% each year, with 2022 on track to continue that trend.

2 Wood Energy in the Tahoe Basin

2.1 PREVIOUS PROPOSALS

Biomass projects have been considered in the Tahoe Basin for almost two decades. Advocates champion wood energy for many of the reasons described above, including improving regional air quality by reducing the practice of burning slash piles from forest management activities, incentivizing more fuels reduction treatments for fire mitigation, replacing imported fossil fuels with locally available resources, and establishing firm renewable energy assets to improve energy resilience. In the Tahoe Basin, biomass proposals prior to 2010 included a prototype biomass gasification system to produce heat and electricity for Truckee Donner Publicity Utility District (TDPUD) as a pilot project,^{13,14} and a wood boiler to replace aging diesel boilers at South Tahoe High School¹⁵. These proposals did not come to fruition; the TDPUD system required a specific type of wood chip that was costly to obtain, and resulted in more labor intensive maintenance – that system was decommissioned just two years after being installed. The biomass boiler planned for South Tahoe High School was never installed.

Despite these setbacks, wood energy has remained a priority topic of investigation in Placer and El Dorado Counties. Most notable for the Tahoe Basin, Placer County and NV Energy proposed a 1-3 MW power plant on the north shore of Lake Tahoe at Kings Beach in 2010, which was updated to a proposed capacity of 2 MW in 2011. Almost immediately, the proposal was met with local opposition^{16, 17}. Concerns included impacts of smoke, heavy traffic, smells, and noise, especially within close proximity to an elementary school, Boys and Girls Club, and residences. A new non-profit, Friends of Lake Tahoe, was formed to oppose the project, and expressed their concerns at

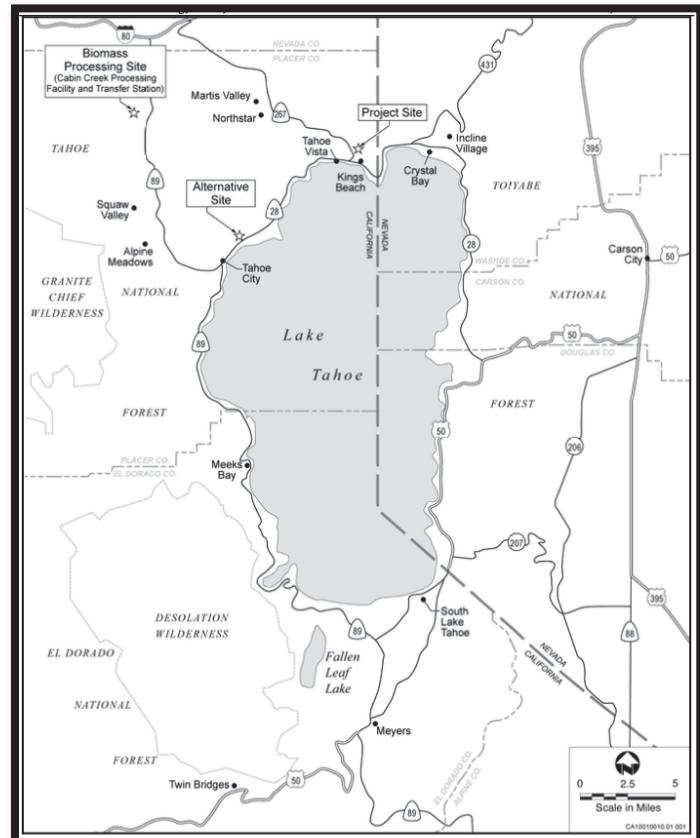


FIGURE 7: Sites under consideration for a biomass power plant in 2010. Note the project was ultimately moved from Kings Beach to Cabin Creek ("the biomass processing site"). Map adapted from Ascent Environmental, 2010.

¹³ Biomass scrutinized at Lake Tahoe. Alan Best. 8-31-06. <https://www.summitdaily.com/news/biomass-scrutinized-at-lake-tahoe/>

¹⁴ Truckee's biomass project will be decommissioned. Greyson Howard. 2-12-2007. <https://www.sierrasun.com/news/truckees-biomass-project-will-be-decommissioned/>

¹⁵ Biomass would help decrease fire danger, and heat high school, too. William Ferchland. 5/2/06.

<https://www.tahoedailytribune.com/news/biomass-would-help-decrease-fire-danger-and-heat-high-school-too/>

¹⁶ Biomass plant raises concerns in Kings Beach. Matthew Renda. 9/3/2010. <https://www.tahoedailytribune.com/news/biomass-plant-raises-concerns-in-kings-beach/>

¹⁷ Biomass plant in Kings Beach. Analyzing economics, operations in Loyalton. Matthew Renda. 9/15/2010.

<https://www.sierrasun.com/news/biomass-plant-in-kings-beach-analyzing-economics-operations-in-loyalton/>

public meetings¹⁸. Influenced by widespread community opposition, the TRPA executive director informed TRPA's governing board in 2011 that the controversial Kings Beach location should no longer be considered an option for development, forcing project proponents to focus on alternative sites¹⁹.

Project development shifted to the Cabin Creek site at the Eastern Regional Landfill (outside of the Tahoe Basin), where woody material was already being transported and processed for disposal elsewhere. The new site was largely considered more appropriate for a biomass power plant, and Placer County proceeded to complete a number of environmental impact studies, a fuel logistics study, and health impact assessments while advancing power purchase negotiations with Liberty Utilities (see Placer County website for links to all completed studies)^{20,21,22}. In 2018 Placer County and Liberty Utilities were unable to come to an agreed upon price for biomass power generated at the Cabin Creek site, and negotiations ceased. As of 2022, the power plant at Cabin Creek has still not been constructed.

2.2 TAHOE REGIONAL PLANNING AGENCY MORATORIUM

In December 2012 a moratorium on applications for all new biomass energy facilities in the Tahoe Basin was put into place as part of a larger Tahoe Regional Planning Agency (TRPA) code of ordinances update. Section 65.1.6.F of the TRPA Code of Ordinances states that, "TRPA shall suspend acceptance of applications for biofuel facilities until further research demonstrates the safety and environmental compatibility of such facilities". The moratorium is largely understood to be in response to the Kings Beach project and the significant public opposition it received.

In late 2021, STR and Wisewood engaged TRPA to determine a possible pathway to submit an application for a small-scale biomass unit at STR, on the basis that the proposed net metering system is substantially different than the Kings Beach project and will not have the impacts that were anticipated for that system, and that it will be compatible with TRPA safety and environmental requirements. It was determined that an assessment documenting the expected impacts of the proposed STR biomass system would be an acceptable method to enable a determination as to whether the proposed unit at STR demonstrates the safety and environmental compatibility to allow for an application to be accepted through TRPA. This assessment identifies and addresses anticipated impacts for the proposed STR project, and is intended to inform a TRPA decision to accept and review an application that would allow STR to proceed with a standard permitting process for its biomass net metering project.

¹⁸ North Tahoe residents continue to air concerns about proposed biomass plant. Matthew Renda. 4/20/2011.

<https://www.sierrasun.com/news/north-tahoe-residents-continue-to-air-concerns-about-proposed-biomass-plant/>

¹⁹ Placer biomass plant for Kings Beach hits major stumbling block. Gus Thomson. 7/29/2011.

<https://goldcountrymedia.com/news/46059/placer-biomass-plant-for-kings-beach-hits-major-stumbling-block/>

²⁰ Officials begin prelim look at Cabin Creek for biomass facility near Tahoe. Jason Smith. 10/18/2011.

<https://www.theunion.com/news/officials-begin-prelim-look-at-cabin-creek-for-biomass-facility-near-tahoe/>

²¹ Logistics Study of a Biomass Facility for the Lake Tahoe Region Task 3.0. Proactive Customer Services: November 2011.

<https://www.placer.ca.gov/DocumentCenter/View/8465/Logistics-Study-of-a-Biomass-Facility-for-the-Lake-Tahoe-Region-PDF>

²² County of Placer Reports. Community Development Resource Agency. <https://www.placer.ca.gov/2910/Reports> (includes all completed reports)

3 Wood Energy Technology Advancement

Wood energy technology has undergone significant research and development and subsequent commercial deployment over the past three-plus decades around the world, led by European countries such as Austria, Sweden, and Germany. Modern and efficient wood boiler systems for heat generation have dominated the traditional wood energy industry, while electricity generation has been accomplished by pairing steam turbines or Organic Rankine Cycle (ORC) units with boilers. Recent advances in biomass gasification systems have enabled new opportunities for CHP generation using advanced wood energy technology, such as the gasification unit proposed for the STR project.

Gasifier systems convert woody biomass to energy via the process of “gasification”; it is not a combustion process. In gasifier systems, the biomass fuel is heated in a reactor with limited oxygen, which causes the solid biomass to be converted to a fuel-rich gas (mostly CO and H₂) that is subsequently filtered of impurities, cooled and then sent to a modified natural gas engine that is coupled to an electric generator. The water cooling system of the gas engine and gas cooler can generate hot water to be used for wood drying, space heating, and low temperature process heat. Gasifier technology has high electrical conversion efficiency, which makes it better suited than other wood energy technologies when electricity generation is the primary focus.

The gasification technology selected for STR is from Bioenergie Wegscheid (formerly HolzEnergie Wegscheid, or “Holz”) out of Germany. Holz has been in business for 13 years and has over 120 downdraft gasifier units operating worldwide, equivalent to an aggregate electrical capacity of about 15 MW. Holz systems come in 65 kW and 125 kW units, which can be stacked in parallel to serve larger loads as needed. According to plant operators at existing sites, individual units have logged over 8,200 operating hours in a given year; this represents an impressive 91% uptime capacity factor for generating energy around the clock, and is indicative of the technology’s ability to operate consistently and reliably. Smaller systems such as these have inherent benefits when compared to larger multi-megawatt systems in terms of the volume of their fuel demand, required footprint area, emissions, and operations. The expected impacts of the STR project are described in more detail in the following sections.

4 Environmental & Safety Impacts

Preliminary system sizing for the STR net metering system is based on the estimated energy usage of STR operations. A 125 kW biomass CHP system is estimated to offset over 100% of the facility's annual electrical demand (approximately 75% of its hourly demand), and over 90% of its natural gas usage. As a net metering system, no power will be sold to the grid; rather, energy generated in excess of what STR uses at any given moment will be "trued up" at the end of the year to offset electricity purchased from the grid, much like a net metered solar photovoltaic system. All thermal energy that can be used on-site will reduce natural gas used for space heating. The sections below document estimated environmental and safety impacts for the proposed STR project, including fuel demand, traffic, air quality, site suitability and footprint, noise, and safety.

4.1 FUEL DEMAND

As described previously, STR currently handles approximately 10,000 tons per year of woody biomass material, primarily sourced from residential and commercial yard maintenance, clean C&D material, and residual waste material from defensible space and fire mitigation activities. The volume of this material is expected to continue to increase; for example, the Tahoe Fire and Fuels Team, a collaborative group of 21 agencies and entities including all fire protection districts, has continued to support and urge defensible space treatments in the area, especially after the Caldor Fire. STR has also sought to encourage more defensible space activities in recent years by offering woody material drop-off at no fee for all residential customers as well as select community entities, and offering four events each year for commercial customers to drop off green waste at no charge. This material is received at STR's South Lake Tahoe site and processed into wood chips using an electric horizontal chipper-grinder. The 125 kW biomass system is estimated to require approximately 1,000 tons per year, or about 10% of the volume of material currently handled at STR; hence, the system would require no new procurement of material outside of STR's operations.



FIGURE 8: Example of woody material received and processed at STR. Material is stored until it can be transported out of the Basin (see section 4.2).

The proposed STR project represents a small-scale, distributed approach to local biomass utilization. While the STR project will use material being generated by community defensible space activities, it is not expected to incentivize additional forest restoration activities in the short term due to its small wood fuel demand. However, demonstrating that wood energy technologies can be unobtrusive, clean, and effective may support a broader community discussion about the value of wood energy in the Tahoe Basin. Assuming that about 10 tons of woody material is generated for every acre of fuels treatment in the Tahoe Basin area, a fuel demand of 1,000 tons per year would support about 100 acres of treatment. For perspective, Basin partners are currently treating about 2,000 to 3,000 acres annually, depending on project constraints.

4.2 TRAFFIC

After processing, woody material received at STR is currently shipped approximately 25 miles (one way) to Bently Ranch in the Carson Valley, following Highway 50 through South Lake Tahoe to NV-207. Typical trucks used for hauling can hold about 15 tons each trip, resulting in a total of roughly 700 truck trips each year, or 35,000 traveled miles (roundtrip). This represents STR's "business as usual" scenario.

An STR biomass facility would result in a reduction in truck traffic currently traveling through South Lake Tahoe to Carson Valley. This reduction is equivalent to about 72 fewer chip trucks on the road each year. In addition to benefits associated with reduced transportation emissions (see Table 1), benefits include reduced truck traffic in neighborhoods and through town, resulting in reduced truck noise and potential safety improvements.

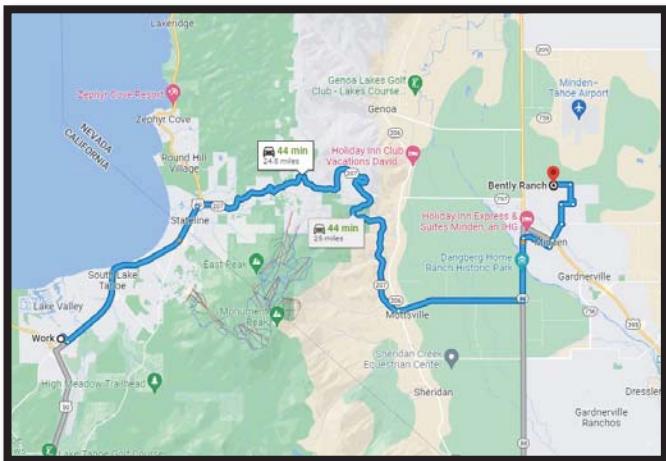


FIGURE 9: Typical route taken to dispose of woody material from the Tahoe Basin area to the Carson Valley, approximately 50 miles roundtrip.

TABLE 1: Average truckloads, traveled roundtrip miles, and associated emissions per year with no action compared to STR installing the biomass gasifier. Chip vans are assumed to have an average of 15 tons per load.

	NO ACTION	WITH GASIFIER
AVG TRIPS/YR	700	628
MILES/YR (ROUNDTRIP)	34,650	31,050
PM (LB/YR)	23.38	20.95
CO (LB/YR)	214.12	191.87
CH ₄ (LB/YR)	0.73	0.65
NO _x (LB/YR)	600.19	537.83

4.3 AIR QUALITY

Holz Bioenergie CHP units have low criteria pollutant emissions and virtually no visible smoke. For example, Figure 10 shows a similarly-sized Bioenergie system in a mountain town near the Dolomites, Italy showing no smoke; video is also available upon request.

The El Dorado County Air Quality Management District (EDAQMD) is responsible for regional air quality planning, monitoring, and stationary source and facility permitting to administer California Air Resources Board air quality standards. EDAQMD has established emission thresholds for reactive nonorganic gases (ROG), oxides of nitrogen (NO_x), carbon monoxide (CO), particulate matter (PM), and other pollutants. Projects that are estimated to be below emission thresholds may be considered to have an insignificant impact, while those that are expected to exceed emissions may require permitting, implementation of Best Available Control Technology (BACT), and/or additional mitigative action.

The proposed biomass facility at STR will have two sources of emissions: plant operations, and transportation of woody material. As discussed in the previous section, the project will result in a decrease of both truck traffic and vehicle emissions due to a reduction in material transported to Carson Valley; these reductions are particularly beneficial considering that pollutants from diesel combustion engines are among the most harmful. Emissions from plant operations are estimated in Table 2, and compared to EDAQMD thresholds. Based on preliminary analysis, the 125 kW biomass system is estimated to be far below all thresholds except for NO_x (modeling no emission controls). The biomass facility will additionally offset the majority of natural gas used for space heating on-site, which will cause a decrease in existing emissions; this reduction and a calculation of plant emissions versus “no action” was not modeled for the purposes of this Assessment. Emission controls are available should they be required, such as Selective Catalytic Reduction (SCR) to reduce NO_x emissions, and additional modeling can be completed to ascertain a more detailed emissions profile and implications for permitting.

While the proposed STR project is not expected to incentivize new fuel reduction treatments or reduce existing pile burning, it is anticipated to support overall efforts to do so by demonstrating a viable alternative to business-as-usual handling of waste woody material. Both pile burning waste woody material and wildfire results in uncontrolled emissions of all criteria pollutants, which can harm public health and air quality. This

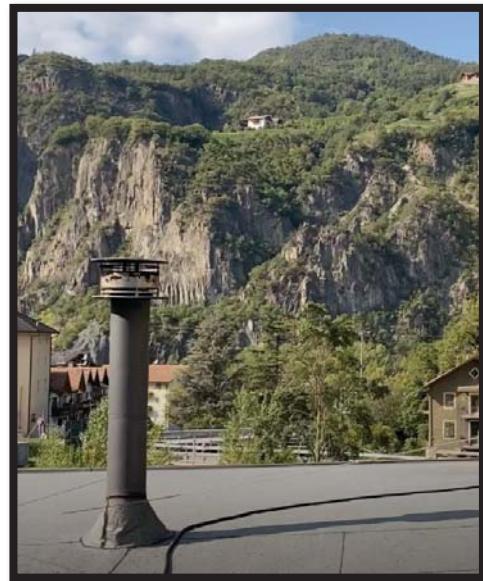


FIGURE 10: 190kW system running at full capacity and showing no visible smoke, located in South Tyrol, Italy.

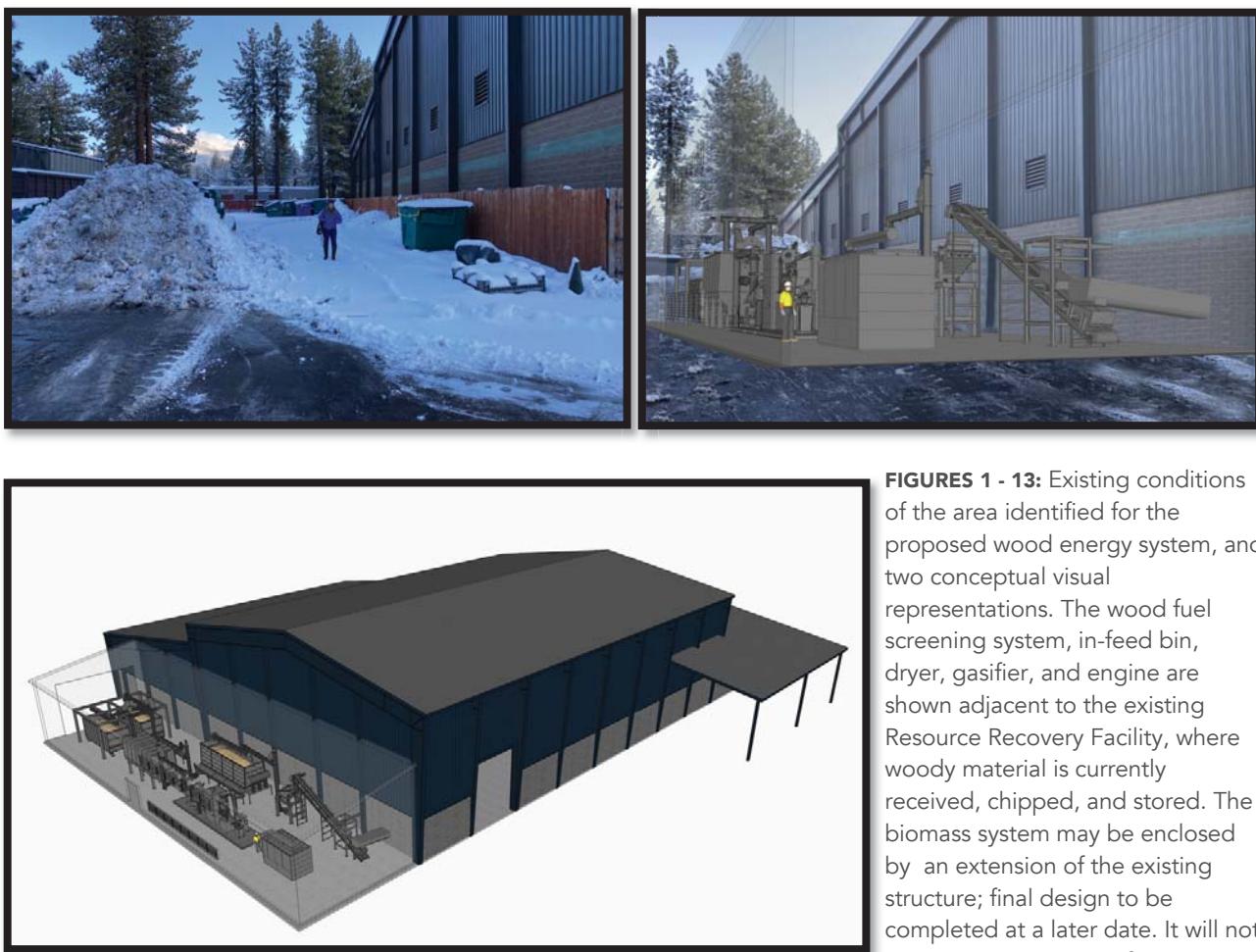
TABLE 2: Emission thresholds set forth by the El Dorado APCD (see chapters 5 and 6), compared to estimated plant emissions of the biomass gasifier system with no emission controls¹.

POLLUTANTS	EMISSION THRESHOLDS	PLANT EMISSIONS
ROG (LB/DAY)	82	0.027
NO _x (LB/HR)	0.068	0.498
CO (LB/HR)	3.7	0.038
PM ₁₀ (LB/HR)	0.41	0.019

can be mitigated to some extent by an increase in fuel reduction treatments and other defensible space activities that will be encouraged with the proposed STR project.

4.4 SITE SUITABILITY & FOOTPRINT

STR is located in an area zoned commercial mixed use services, with primary use listed as miscellaneous improved industrial property. Current operations include coming and going of waste collection trucks, transport trucks hauling material for disposal, recycling, and composting, grinding of wood chip material, and other miscellaneous equipment operations. The proposed CHP system would be located directly adjacent to the existing structure where woody material is currently received and chipped; it would not require an expansion of STR's footprint. The biomass gasifier, in-feed bin, wood chip storage, and associated equipment will require approximately 6,400 square feet, or about the size of a school gym. See Figures 11-13 for the existing conditions of the site identified for the system, and conceptual visual renderings of the proposed system.



FIGURES 1 - 13: Existing conditions of the area identified for the proposed wood energy system, and two conceptual visual representations. The wood fuel screening system, in-feed bin, dryer, gasifier, and engine are shown adjacent to the existing Resource Recovery Facility, where woody material is currently received, chipped, and stored. The biomass system may be enclosed by an extension of the existing structure; final design to be completed at a later date. It will not require an expansion of STR's footprint.

4.5 NOISE

Like other generators, the wood energy engine creates noise when operating. Wisewood evaluated three sources of noise for the proposed STR system and its overall impact on the area, based on ambient daytime noise levels collected in late July, 2022 and assuming the system is designed with standard noise dampening options. Results are summarized in Table 3, with recorded noise levels included in Attachment 1. The noise level at the STR facility with current operations was recorded to be 63 dBA, and the average daytime noise level of the general vicinity was recorded at 58 dBA. Since none of the three sources of noise at the proposed biomass facility are estimated to be higher than these values, the facility is anticipated to have no increased impact on noise levels at STR or the surrounding area during the day. As ambient noise levels are likely lower during the night, noise from system operations may be more noticeable at this time. STR will work with project engineers to ensure that appropriate enclosures are designed for the system to minimize this potential impact.

TABLE 3: Sound pressure levels estimated for three sources of noise for the proposed STR system, with expected dampening effects of various system enclosures. Noise factors and calculations are based on noisetools.net.

Noise Sources	Sound Pressure Level [dBA] ²	Enclosure Attenuation [dBA] ³	Exhaust Silencer Attenuation [dBA] ⁴	Building Wall Attenuation [dBA] ³	Sound Pressure Level Outside CHP Building [dBA]
CHP Engine	95.9	-17.8	N/A	-17.8	60.4
CHP Engine Exhaust	77.0	N/A	-20.0	N/A	57.0
Air Compressor	75.0	N/A	N/A	-17.8	57.2

4.6 SAFETY

Holz Bioenergie CHP systems similar to what is proposed for STR have been installed throughout the world, serving a variety of end uses and often located in the midst of urban or semi-urban environments. They include no high-pressure equipment, hazardous materials, or high risk equipment. Operations typically involve brief daily visual checks on sensors and material flow, regular filter changes and other preventative maintenance, and annual cleaning similar to other engines. STR staff will be trained to operate the system, and regular safety checks and other maintenance protocols will be adopted similar to existing procedures at STR. The proposed system is not expected to generate any unusual safety or operational requirements.



FIGURE 14: Existing wood gasifiers are often installed in populated areas, and involve no hazardous or high risk equipment.

5 Conclusions and Next Steps

Like other communities in the Sierra Nevada region, the Tahoe Basin is faced with existential challenges that require a multi-faceted response. Forested landscapes – the natural beauty upon which the Tahoe Basin relies – are at risk of catastrophic wildfire, threatening human and wildlife communities alike. Meanwhile, an at-times unreliable grid and a renewed prioritization of 24/7 renewable energy resources have underscored the need to lean into solutions that are synergistic and complementary with other objectives. Redirecting low value, waste woody material away from pile burning and long-haul transportation to local utilization, where value can be retained in local businesses while offsetting fossil fuel resources, is one means to address these challenges.

South Tahoe Refuse has operated in the Tahoe area for decades and specializes in waste reduction and recycling. Current operations already include the collection and processing of waste woody material derived from defensible space activities, which is transported out of the Basin for recycling. STR represents an ideal location for a pilot project to demonstrate the viability of local, small-scale wood energy generation, and will be in alignment with environmental and safety requirements set forth by TRPA. Installation of the system will mean a reduction in truck traffic out of the Basin and the associated emissions, with very low emissions attributable to the plant itself. The fuel demand will require no new biomass procurement, and the facility will have no change on STR's current footprint. For these reasons, STR requests that TRPA allow STR to submit an application to approve the proposed biomass facility, lifting the moratorium against such action for this pilot project.

Attachment 1

Existing Noise Levels – Data Collection

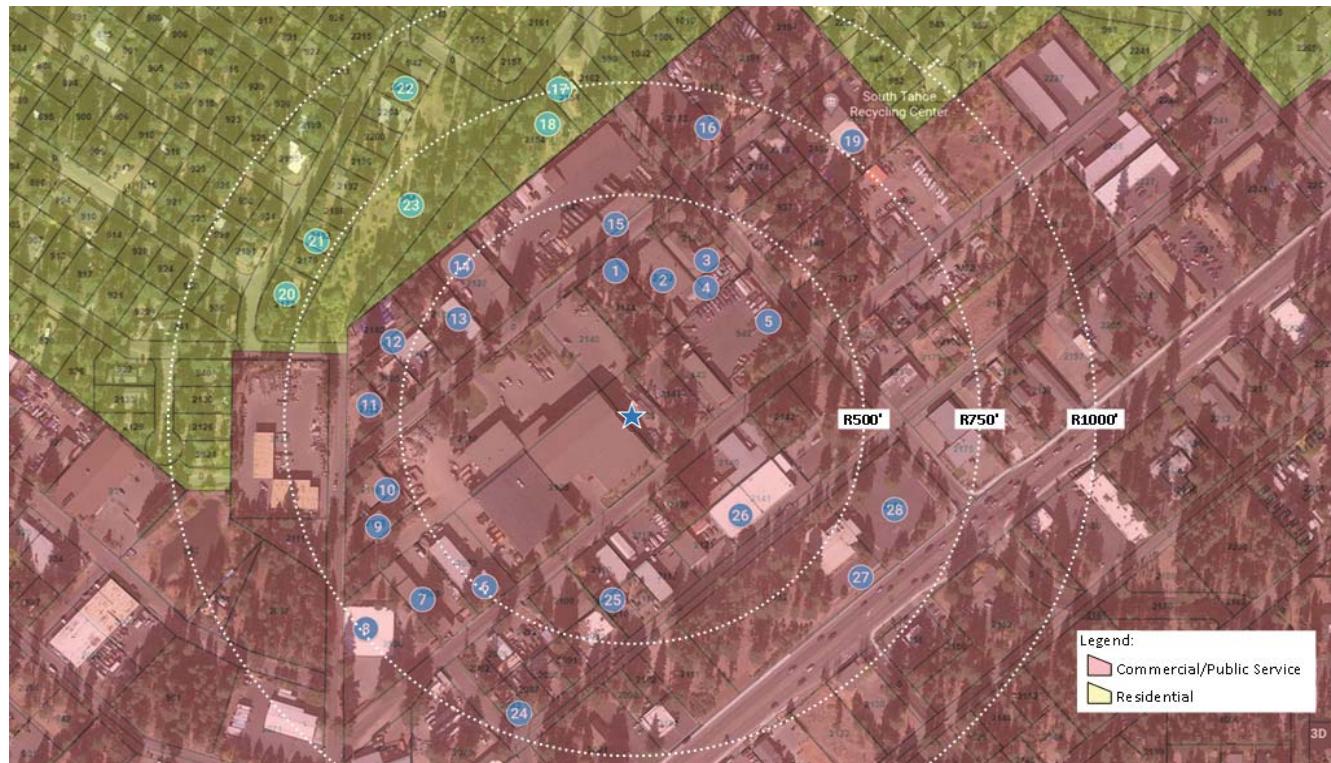
Existing Noise Data Collection

Noise Range: 50-66 dBA

Average Noise: 58 dBA

#	Address	Owner	Distance from proposed CHP plant [ft]	Current noise level* [dBA]
★	2140 Ruth Ave	STR	0	63
1	2144 Ruth Ave	STR	309	56
2	2152 Ruth Ave	Bell Gary A & Terri L TR	310	59
3	2160 Ruth Ave	Tahoe Basin Container Serv INC	392	55
4	936 3rd St	Bell Gary A & Terri L TR	340	61
5	948 3rd St	Baker John A	392	61
6	2093 Eloise Ave	STR	482	57
7	2085 Eloise Ave	STR	592	54
8	2090 Dunlap Dr	Pacific Bell	725	54
9	2108 Dunlap Dr	STR & TBC serv inc	573	55
10	2116 Dunlap Dr	STR & TBC serv inc	520	62
11	2132 Dunlap Dr	STR	528	66
12	2140 Dunlap Dr	Hassett Robert J TR & Tamara r TR	500	65
13	2119 Ruth Ave	Curtis Steven & Nancy	391	62
14	2127 Ruth Ave	TBC serv inc	459	54
15	2143 Ruth Ave	STR	415	53
16	2173 Ruth Ave	TBC serv inc	662	55
17	2158 Washington Ave	Egri Sarah A	727	50
18	2154 Washington Ave	Clark Constance	654	52
19	2192 Ruth Ave	STR	795	50
20	2172 Dunlap Dr	Guy Geordan	754	60
21	2182 Dunlap Dr	Fleishman David	745	58
22	2212 Dunlap Dr	Caldwell Karl	845	55
23	954 S Shore Dr	CTC	633	57
24	2083 James Ave	Kemper & sons	706	60
25	2107 James Ave	Sarosik Dennis	422	62
26	2141 James Ave	Three RS LLC	633	63
27	2121 Lake Tahoe Blvd	Bank of the West	659	59
28	2161 Lake Tahoe Blvd Ste 1	Bank of the West	657	61

*Noise data was collected early afternoon on July 26th using the NIOSH Sound Level Meter App



Attachment B

Letters of Support from Partners



Tahoe Regional Planning Agency
Attn: Members of the Governing Board
P.O. Box 5310
Stateline, NV 89449
Via email: mambler@trpa.gov

Re: South Tahoe Refuse wood energy project

Dear TRPA Forest Health & Wildfire Committee and Governing Board members:

The South Lake Tahoe 100% Renewable Committee is providing this letter to express support for allowing an application to be submitted for the South Tahoe Refuse (STR) wood waste gasifier project.

The project as currently proposed involves development of a small-scale (125kW) wood energy generator which would utilize material already located at STR as the fuel source, providing net metered energy for use on-site. An initial assessment of the project indicates that this type of system serves as an opportunity for clean, locally sourced energy production without causing detrimental impacts to the environment or community.

Some of the project's key benefits include:

- Reducing vehicle miles traveled and net carbon emissions.
- Eliminating approximately 70 truck trips per year from South Tahoe Refuse to the Carson Valley facility where wood chips are currently composted.
- Aligning with defensible space and local fire readiness goals.
- Providing for diversification of woody material outlets beyond composting.
- Helping implement the City of South Lake Tahoe's Climate Action Plan.
- Assisting in meeting State of California goals for local organic product uses.

As technology has improved, gasifier systems have become excellent options for clean energy production. Considering that, and considering that the feedstock for the system

is already on-site at South Tahoe Refuse, we encourage you to allow a permit application for South Tahoe Refuse's wood energy pilot project.

Sincerely,

Nick Exline

Nicholas D. Exline
City of South Lake Tahoe
100% Committee Chairman

COUNTY OF EL DORADO

330 Fair Lane
Placerville, CA 95667
(530) 621-5390
(530) 622-3645 Fax

KIM DAWSON
Clerk of the Board



BOARD OF SUPERVISORS

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District I
GEORGE TURNBOO
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WENDY THOMAS
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LORI PARLIN
District IV
SUE NOVASEL
District V

November 8, 2022

Tahoe Regional Planning Agency
Attn: Members of the Governing Board
P.O. Box 5310
Stateline, NV 89449
Via email: mambler@trpa.gov

Re: South Tahoe Refuse Wood Energy Pilot Project — SUPPORT

Dear Tahoe Regional Planning Agency, Forest Health & Wildfire Committee and Governing Board Members,

El Dorado County is writing to express support for allowing an application to be submitted for the South Tahoe Refuse wood waste gasifier pilot project.

The project as currently proposed involves the development of a small-scale (125kW) wood energy generator which would utilize material already located at South Tahoe Refuse as the fuel source, providing net metered energy for use on-site. An initial assessment of the project indicates that this type of system serves as an opportunity for clean, locally sourced energy production without causing detrimental impacts to the environment or community.

Some of the project's key benefits include:

- Reducing vehicle miles traveled and net carbon emissions.
- Eliminating approximately 70 truck trips per year from South Tahoe Refuse to the Carson Valley facility where wood chips are currently composted.
- Aligning with defensible space and local fire readiness goals.
- Providing for diversification of woody material outlets beyond composting.
- Helping implement the City of South Lake Tahoe's Climate Action Plan.
- Assisting in meeting State of California goals for local organic product uses.

As technology has improved, gasifier systems have become excellent options for clean energy production. Considering that, and considering that the feedstock for the system is already on-site at South Tahoe Refuse, we encourage you to allow a permit application for South Tahoe Refuse's wood energy pilot project.

Sincerely,

A handwritten signature in blue ink that reads "Lori Parlin".

Lori Parlin
Chair, Board of Supervisors



November 1, 2022

Tahoe Regional Planning Agency
Attn: Members of the Governing Board
P.O. Box 5310
Stateline, NV 89449
Via email: mambler@trpa.gov

Re: South Tahoe Refuse wood energy project

Dear TRPA Forest Health & Wildfire Committee and Governing Board members:

We are writing to express support for allowing an application to be submitted for the South Tahoe Refuse (STR) wood waste gasifier project.

Sierra Business Council is a regional organization dedicated to the sustainability of the Sierra Nevada. We have a long history working in the communities of the Sierra on ecological forest management and biomass utilization projects, and support the use of woody biomass for sustainable energy production.

The project as currently proposed involves development of a small-scale (125kW) wood energy generator which would utilize material already located at STR as the fuel source, providing net metered energy for use on-site. An initial assessment of the project indicates that this type of system serves as an opportunity for clean, locally sourced energy production without causing detrimental impacts to the environment or community.

Some of the project's key benefits include:

- Reducing vehicle miles traveled and net carbon emissions.
- Eliminating approximately 70 truck trips per year from South Tahoe Refuse to the Carson Valley facility where wood chips are currently composted.
- Aligning with defensible space and local fire readiness goals.
- Providing for diversification of woody material outlets beyond composting.
- Helping implement the City of South Lake Tahoe's Climate Action Plan.



- Assisting in meeting State of California goals for local organic product uses.

As technology has improved, gasifier systems have become excellent options for clean energy production. Considering that, and considering that the feedstock for the system is already on-site at South Tahoe Refuse, we encourage you to allow a permit application for South Tahoe Refuse's wood energy pilot project.

Sincerely,

Steve Frisch
President, Sierra Business Council



Office of the City Manager
City of South Lake Tahoe

Joseph D. Irvin, City Manager
jirvin@cityofslt.us
(530) 542-6043

1901 Lisa Maloff Way, Ste. 203
South Lake Tahoe, CA 96150
www.cityofslt.us

October 22, 2022

Tahoe Regional Planning Agency
Attn: Members of the Governing Board
P.O. Box 5310
Stateline, NV 89449

RE: Re: South Tahoe Refuse wood energy project

Dear TRPA Forest Health & Wildfire Committee and Governing Board members,

I am writing to express support for allowing an application to be submitted for the South Tahoe Refuse (STR) wood waste gasifier project.

The project as currently proposed involves development of a small-scale (125kW) wood energy generator which would utilize material already located at STR as the fuel source, providing net metered energy for use on-site. An initial assessment of the project indicates that this type of system serves as an opportunity for clean, locally sourced energy production without causing detrimental impacts to the environment or community. In addition, the proposed project would:

- Eliminate approximately 70 truck trips per year from South Tahoe Refuse to the Carson Valley where wood chips are currently composted.
- Align with defensible space and local fire readiness goals.
- Provide for diversification of woody material outlets beyond composting.
- Assist in meeting State of California goals for local organic product uses.
- Reduce VMTs and net carbon emissions.

This proposed project is in alignment with the City's adopted Climate Action Plan Action #RE-3, Explore biofuel production:

- "Work with regional partners to use forest waste, food waste, sewage, landfill gas, and other available waste for biofuel or renewable natural gas."

- Look to public and private examples, such as those at Northstar and the Loyalton Biomass Facility, for best practices and to help successful initiatives scale.”

As technology has improved, gasifier systems have become excellent options for clean energy production. Considering that and considering that the feedstock for the system is already on-site at South Tahoe Refuse, we encourage you to allow a permit application for this project.

Thank you in advance for your time, attention and consideration.

Respectfully submitted,



Joseph D. Irvin, ICMA-CM
City Manager, South Lake Tahoe, CA
jirvin@cityofslt.us

November 8, 2022

Tahoe Regional Planning Agency
Attn: Members of the Governing Board
P.O. Box 5310
Stateline, NV 89449
Via email: mambler@trpa.gov

Re: South Tahoe Refuse wood energy project

Dear TRPA Forest Health & Wildfire Committee and Governing Board members:

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- Aligning with defensible space and local fire readiness goals.
- Providing for diversification of woody material outlets beyond composting.
- Helping implement the City of South Lake Tahoe's Climate Action Plan.
- Assisting in meeting State of California goals for local organic product uses.

As technology has improved, gasifier systems have become excellent options for clean energy production. Considering that, and considering that the feedstock for the system is already on-site at South Tahoe Refuse, we encourage you to allow a permit application for South Tahoe Refuse's wood energy pilot project.

Sincerely,

Darcie Goodman Collins, PhD
Executive Director
League to Save Lake Tahoe

Paul Thiel
General Manager
South Tahoe Public Utility District

Chad Stephen
Fire Chief
Lake Valley Fire Protection District

Mike Vollmer
Executive Director
Tahoe Resource Conservation District

Jenny Hatch
Executive Director
Sierra Nevada Alliance



2 November 2022

Tahoe Regional Planning Agency
Attn: Members of the Governing Board
P.O. Box 5310
Stateline, NV 89449
Via email: mambler@trpa.gov

Re: South Tahoe Refuse wood energy project

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Sincerely,

Molly Armanino

Molly Armanino, CEO, Tahoe Climate Change Action Network

