
Tahoe Regional Planning Agency (TRPA) Governing Board and Committee Meetings

PUBLIC MEETING NOTICE & AGENDAS

9:15 a.m. TRPA Governing
Board Meeting*

**Wednesday,
October 28, 2026**

Join at 128 Market St., Stateline, NV
or [https://www.trpa.gov/public-
meeting-zoom](https://www.trpa.gov/public-meeting-zoom)

Agenda Outline:

8:30 a.m. [TRPA Legal Committee](#)

8:30 a.m. [TRPA Operations & Governance Committee](#)

9:15 a.m. [TRPA Governing Board](#)

**Agenda times are approximate and will commence no earlier than the time stated, unless otherwise noted.*

[Jump to → TRPA Governing Board Meeting Agenda](#)

This agenda has been posted at the TRPA office and at the following locations and/or websites: Post Office, 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.

TRPA Mission

Established in 1969, the Tahoe Regional Planning Agency was the nation's first bi-state regional environmental planning agency. Our mission is to lead the cooperative effort to preserve, restore, and enhance the unique natural and human environment of the Lake Tahoe Region, while improving local communities, and people's interactions with our irreplaceable environment.



AGENDA
TRPA LEGAL COMMITTEE
Beginning at 8:30 a.m.

Agenda items may be taken out of order, combined for consideration, removed from the agenda, or delayed at any time at the discretion of the Chair.

1. CALL TO ORDER AND DETERMINATION OF QUORUM

2. PUBLIC INTEREST COMMENTS – ON AGENDA ITEMS

Any member of the public wishing to address the Legal Committee on an agenda item may do so at this time. Unless otherwise announced by the Chair, comments will be limited to 3 minutes per person for a maximum period of 45 minutes. The Chair may reasonably amend individual speaking time based on the number of persons wishing to comment and the time reasonably available for the meeting. If the comment period concludes before all persons wishing to comment have been heard, the Chair may provide an additional opportunity for comment when the relevant agenda item is considered, including before action is taken on an action item. Any restrictions or adjustments will be applied uniformly and without regard to viewpoint.

3. APPROVAL OF AGENDA

4. APPROVAL OF MEETING MINUTES

	Item	Purpose	Page
A	September 23, 2026 Legal Committee Minutes	For Possible Action	13

5. AGENDA ITEMS

	Item	Staff	Purpose	Page
A	Discussion and possible recommendation for approval of Resolution of Enforcement Action: Brady Sessions; Unauthorized Grading resulting in Material Damage to Trees and Unauthorized Tree Removal; 630 Grand Avenue, Placer County, CA; Assessor's Parcel Number (APN) 085-142-021; TRPA File No. CODE2026-0025	Steve Sweet	For Possible Action	93

B	<u>Discussion and possible recommendation for approval of Resolution of Enforcement Action: LIND Art & Technology, Inc., Launching a motorized watercraft into the waters of the Region without an inspection, operating motorized watercraft in a tributary and in No Wake zones, TRPA File No. CODE2026-0038</u>	Steve Sweet	For Possible Action	99
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- 6. COMMITTEE MEMBER COMMENTS;** Chair – Williamson, Vice Chair – Aldean, Faustinos, Kieckhefer, Leumer
- 7. PUBLIC INTEREST COMMENTS – ON ANY MATTER.** Unless otherwise announced by the Chair, comments will be limited to 3 minutes per person. The Chair may set a maximum time allotment for this comment period of at least 45 minutes and may reasonably amend the time allotted to individual speakers, based on the time reasonably available for the meeting. Any adjusted speaking time will be applied uniformly and without regard to viewpoint.
- 8. ADJOURNMENT**



AGENDA
TRPA OPERATIONS AND GOVERNANCE COMMITTEE
Beginning at 8:30 a.m.

Agenda items may be taken out of order, combined for consideration, removed from the agenda, or delayed at any time at the discretion of the Chair.

1. CALL TO ORDER AND DETERMINATION OF QUORUM

2. PUBLIC INTEREST COMMENTS – ON AGENDA ITEMS

Any member of the public wishing to address the Operations and Governance Committee on an agenda item may do so at this time. Unless otherwise announced by the Chair, comments will be limited to 3 minutes per person for a maximum period of 45 minutes. The Chair may reasonably amend individual speaking time based on the number of persons wishing to comment and the time reasonably available for the meeting. If the comment period concludes before all persons wishing to comment have been heard, the Chair may provide an additional opportunity for comment when the relevant agenda item is considered, including before action is taken on an action item. Any restrictions or adjustments will be applied uniformly and without regard to viewpoint.

3. APPROVAL OF AGENDA

4. APPROVAL OF MEETING MINUTES

	Item	Purpose	Page
A	September 23, 2026 Operations & Governance Committee Minutes	For Possible Action	17

5. AGENDA ITEMS

	Item	Staff	Purpose	Page
A	Discussion and possible recommendation for approval of the September Financials	Chad Cox	For Possible Action	51
B	Discussion and possible recommendation for approval of inflation adjustment to TRPA Filing Fee Schedule and Mobility Mitigation Fee	Aly Borawski	For Possible Action	69
C	Discussion and possible recommendation for approval of inflation adjustment to TRPA Rental	Aly Borawski	For Possible Action	69



	Vehicle Mitigation Fee			
D	Upcoming Topics for Future Committee Meetings	Chad Cox	Informational	--

6. **COMMITTEE MEMBER COMMENTS;** Chair – Laine, Vice Chair – Rice, Aguilar, Bass, Gustafson, Hill
7. **PUBLIC INTEREST COMMENTS – ON ANY MATTER.** Unless otherwise announced by the Chair, comments will be limited to 3 minutes per person. The Chair may set a maximum time allotment for this comment period of at least 45 minutes and may reasonably reduce the time allotted to individual speakers, based on the time reasonably available for the meeting. Any adjusted speaking time will be applied uniformly and without regard to viewpoint.
8. **ADJOURNMENT**



AGENDA

TRPA GOVERNING BOARD MEETING

Beginning at 9:15 a.m.

Agenda items may be taken out of order, combined for consideration, removed from the agenda, or delayed at any time at the discretion of the Chair.

1. **CALL TO ORDER AND DETERMINATION OF QUORUM**
2. **PLEDGE OF ALLEGIANCE**
3. **PUBLIC INTEREST COMMENTS – ON AGENDA ITEMS**

Any member of the public wishing to address the Governing Board on an agenda item, including items on the Consent Calendar, may do so at this time. Unless otherwise announced by the Chair, comments will be limited to 3 minutes per person for a maximum period of 45 minutes. The Chair may reasonably reduce individual speaking time based on the number of persons wishing to comment and the time reasonably available for the meeting. If the comment period concludes before all persons wishing to comment have been heard, the Chair may provide an additional opportunity for comment when the relevant agenda item is considered, including before action is taken on an action item. Any restrictions or adjustments will be applied uniformly and without regard to viewpoint.

4. **APPROVAL OF AGENDA**
5. **APPROVAL OF MINUTES**

	Item	Purpose	Page
A	September 23, 2026 Governing Board Minutes	For Possible Action	21

6. **TRPA CONSENT CALENDAR**

See TRPA Consent Calendar Agenda below for specific items.

7. PLANNING MATTERS

	Item	Staff	Purpose	Page
A	Briefing on Biodiversity and Recreation Threshold Updates	Devin Middlebrook / Beth Vollmer	Informational	107
B	Lake Tahoe Aquatic Invasive Species (AIS) Program Update	Dennis Zabaglo	Informational	109

8. EXECUTIVE REPORTS

		Item	Purpose	Staff
A		Executive Director Status Report	Informational	Julie Regan
	A.1	Notice of Preparation and public scoping period, October 20 through November 20, for the joint Environmental Assessment or Environmental Impact Statement/Environmental Impact Report being prepared by TRPA and El Dorado County for the proposed West Shore Trail, an approximately 6-mile shared-use path connecting Meeks Bay and D.L. Bliss State Park	Informational	Julie Regan
B		General Counsel Status Report	Informational	Graham St. Michel

9. GOVERNING BOARD MEMBER REPORTS

10. COMMITTEE REPORTS

	Item	Purpose
A	Legal Committee	Report
B	Operations and Governance Committee	Report
C	Environmental Improvement Program Committee	Report
D	Transportation Committee	Report
E	Regional Planning Committee	Report
F	Local Government Committee	Report
G	Tahoe Living Working Group	Report

11. PUBLIC INTEREST COMMENTS – ON ANY MATTER

Any member of the public wishing to address the Governing Board on any matter within TRPA's jurisdiction, whether or not listed on the agenda, may do so at this time. Unless otherwise



announced by the Chair, comments will be limited to 3 minutes per person. The Chair may set a maximum time allotment for this comment period of at least 45 minutes and may reasonably reduce the time allotted to individual speakers, based on the time reasonably available for the meeting. Any adjusted speaking time will be applied uniformly and without regard to viewpoint.

TRPA encourages (but does not require) public comment on items agendaized for possible action to be provided at the period designated for comment on agenda items, prior to the Governing Board's consideration of the proposed action.

A speaker who comments on an agenda item during the initial public-comment period ordinarily will not be permitted to comment again on the same item during general public comment. The Governing Board may deliberate or take action only if a matter has been listed on an agenda properly posted prior to the meeting. Responses from Governing Board members to unlisted public comment topics could become deliberation on a matter without notice to the public. To avoid this situation and to ensure the public has notice of all matters the Governing Board will consider, Board members may choose not to respond to public comments, except to correct factual inaccuracies, ask for staff clarification, or to ask that a matter be listed on a future agenda.

12. ADJOURNMENT

6. TRPA CONSENT CALENDAR

Click the listed item for full packet details

	Item	Staff	Purpose	Page
A	September Financials	Chad Cox	For Possible Action	51
B	Inflation adjustment to TRPA Filing Fee Schedule and Mobility Mitigation Fee	Aly Borawski	For Possible Action	69
C	Inflation adjustment to TRPA Rental Vehicle Mitigation Fee	Aly Borawski	For Possible Action	69
D	Resolution of Enforcement Action: Brady Sessions; Unauthorized Grading resulting in Material Damage to Trees and Unauthorized Tree Removal; 630 Grand Avenue, Placer County, CA; Assessor's Parcel Number (APN) 085-142-021; TRPA File No. CODE2026-0025	Steve Sweet	For Possible Action	93
E	Resolution of Enforcement Action: LIND Art & Technology, Inc., Launching a motorized watercraft into the waters of the Region without an inspection, operating motorized watercraft in a tributary and in No Wake zones, TRPA File No. CODE2026-0038	Steve Sweet	For Possible Action	99

Details:

Items on the Consent Calendar are expected to be routine and non-controversial and will be acted upon by the Board in a single motion unless removed for separate consideration. See [TRPA Rule of Procedure 2.11](#) for procedures governing the Consent Calendar.



Meeting Instructions – Applicable to All Meetings Listed in this Notice

To Participate:

- Join in-person at [128 Market Street, Stateline, NV 89449](#).
- Visit [trpa.gov](#) for all meeting resources, including:
 - Agendas and detailed packets – available at least seven days before each meeting.
 - Virtual and call-in details – available at least one day before each meeting.
 - Supporting materials may also be requested from Marja Ambler, Tahoe Regional Planning Agency, 128 Market Street, Stateline, NV 89449, mambler@trpa.gov, (775) 589-5287.
- For questions, contact TRPA staff at virtualmeetinghelp@trpa.gov or (775) 588-4547.
- TRPA will make reasonable efforts to assist and accommodate persons with disabilities that wish to participate. For assistance, contact Marja Ambler, mambler@trpa.gov, (775) 589-5287.

Contributing Public Comment:

- **Written:** Please submit comments by 3 p.m. the day before the meeting. Email: You may email comments to publiccomment@trpa.gov. Include meeting details and agenda item in the subject line or write "General Comment" for non-agenda items.
- You may also send by mail, fax to (775) 588-4527, or drop off in person at 128 Market Street.
- **Verbal:** Public comment periods are provided as identified in each meeting agenda. Unless otherwise announced by the Chair, public comment is limited to 3 minutes per person. The Chair may reasonably reduce individual speaking time based on the number of persons wishing to comment and the time reasonably available for the meeting. The Chair may establish or extend aggregate time limits as provided in the applicable agenda. All public comment restrictions will be applied uniformly and without regard to viewpoint. Unused speaking time may not be transferred to another person.
- Comment on agenda items → comment period at the beginning of the meeting.
- Comment on any topic within TRPA/TMPO's jurisdiction → comment period at the end of the meeting.
- The Chair may enforce applicable speaking times and take reasonable measures, including calling a recess, to address conduct that actually disrupts or impedes the orderly conduct of the meeting. A person who willfully disrupts a meeting to the extent that its orderly conduct is made impractical may be removed.



Article III (g) Public Law 96-551 Tahoe Regional Planning Agency Governing Board Members

Chair: Hayley Williamson, Nevada At-Large Member

Vice Chair: Vince Hoenigman, California Governor's Appointee

Francisco Aguilar, Nevada Secretary of State

Shelly Aldean, Carson City Supervisor Representative

Cody Bass, City of South Lake Tahoe Councilmember

Joseph Cannata, California Governor's Appointee

Belinda Faustinos, California Assembly Speaker's Appointee

Cindy Gustafson, Placer County Supervisor Representative

Vinson Guthreau, Nevada Dept. of Conservation & Natural Resources Representative

Meghan Hays, Presidential Appointee

Alexis Hill, Washoe County Commissioner

Ben Kieckhefer, Nevada Governor's Appointee

Brooke Laine, El Dorado County Supervisor

Alexandra Leumer, California Senate Rules Committee Appointee

Wesley Rice, Douglas County Commissioner

A handwritten signature in black ink that reads "Julie W. Regan".

Julie W. Regan, TRPA Executive Director

**TAHOE REGIONAL PLANNING AGENCY
LEGAL COMMITTEE MEETING MINUTES**

September 23, 2026

TRPA/ZOOM

1. CALL TO ORDER AND DETERMINATION OF QUORUM

Chair Williamson called the meeting to order at 8:30 a.m. on September 23, 2026.

Members present: Ms. Aldean, Ms. Leumer, Mr. Kieckhefer, and Ms. Williamson. Ms. Faustinos arrived at 8:34 a.m.

Members absent: None.

2. PUBLIC COMMENT PERIOD FOR ITEMS ON THE AGENDA

None.

3. APPROVAL OF AGENDA

TRPA General Counsel Graham St. Michel stated that there were no changes to the agenda.

Chair Williamson deemed the agenda approved as posted.

4. APPROVAL OF MINUTES

Ms. Aldean made a motion to approve the July 22, 2026 Legal Committee meeting minutes as presented.

Motion carried by voice vote.

5. AGENDA ITEMS

5.A. – [DISCUSSION AND POSSIBLE RECOMMENDATION FOR APPROVAL OF RESOLUTION OF ENFORCEMENT ACTION, JOHN A. POWERS; UNAUTHORIZED CONSTRUCTION IN THE SHOREZONE AND ADDITIONAL CODE VIOLATIONS; 1707 LAKESHORE BOULEVARD, INCLINE VILLAGE, NEVADA; ASSESSOR'S PARCEL NUMBER \(APN\) 130-331-02, TRPA FILE NO. CODE2025-0014](#)

Steve Sweet, TRPA Code Compliance Program Manager, presented on behalf of TRPA staff. Mr. Sweet stated that the matter involves unauthorized construction both inside and outside the shorezone on the Powers property at 1707 Lakeshore Boulevard, located at the south end of Incline Village, including work that would have required TRPA review and scenic review. He noted that Mr. Powers previously settled a violation with TRPA several years ago on his adjacent property for unauthorized grading and landscaping in the shorezone on that property and on State property.

LEGAL COMMITTEE

September 23, 2026

In 2025, TRPA investigated a report of unauthorized construction on the Powers property and identified several improvements and activities undertaken without required TRPA review or approval, including a second-story unit constructed above a previously existing storage shed, construction materials in the shorezone, an elevated dormer roof adjacent to State Route 28, and driveway pavers installed adjacent to State Route 28. Mr. Sweet presented before-and-after photographs of the shed expansion, which appeared to extend toward and connect with the residence. He stated that the driveway pavers appear to have been installed to replace parking lost during construction of the adjacent residence, and that the pavers and the slight raising of the front roof may be permissible, subject to scenic review because the property is located on a scenic corridor.

Mr. Sweet stated that TRPA alleges the work resulted in at least 20 code violations involving construction without permits, grading and construction site requirements, vegetation and tree protection, scenic review, land coverage, and restrictions applicable to development and uses in the shorezone. The parties negotiated the proposed settlement agreement to resolve the enforcement matter without litigation. Under the proposed settlement agreement, Mr. Powers will:

- Pay a penalty of \$150,000 to TRPA in three payments, to be completed by September 30, 2028;
- Remove the unauthorized second-story unit, storage shed, and construction materials from the shorezone and restore the affected area pursuant to a TRPA-approved restoration plan;
- Remove, or seek retroactive approval for, the dormer roof and driveway improvements;
- Complete a land coverage verification for the property and correct any issues identified;
- Submit the required restoration, permitting, and land coverage materials as a single application within 90 days of approval; and
- Pay double filing fees for any permits necessary to satisfy the settlement agreement.

Mr. Sweet stated that the agreement does not guarantee retroactive approval of any existing improvements, and that Mr. Powers has taken responsibility for the unauthorized activities and agreed to the settlement in writing. Staff recommends that the Governing Board approve the proposed settlement agreement.

Committee Comments & Questions

Ms. Aldean asked why TRPA does not require settlement agreements to be recorded, so that any unpaid obligation would appear on a title report if the property were sold before the penalty is paid in full. She noted that Mr. Powers is a repeat violator who proceeded knowing a permit was required, and that recording would also benefit prospective buyers.

Mr. St. Michel stated that staff considered the issue. The agreement makes the penalty Mr. Powers' personal responsibility and requires that TRPA receive notice if the property is sold, at which point the full penalty amount becomes immediately due, essentially an acceleration clause. Ms. Aldean responded that this remedy applies only after the fact. TRPA Assistant Attorney Jack Mensik stated that the general purpose of recording is to give notice to future buyers, and that the violation and settlement are already available on TRPA's online database, so a future buyer would know who is responsible. Ms. Aldean responded that not every buyer would be experienced enough to check TRPA's website.

LEGAL COMMITTEE

September 23, 2026

Ms. Leumer asked how the restoration requirement would be addressed if the property were sold. Mr. St. Michel stated that the restoration requirement runs with the property, so a buyer would inherit the compliance obligation. He stated that staff could research recordation after the meeting, noting that TRPA has had concerns in the past about recording settlement agreements, which differ from judgment liens issued by a court that can be recorded.

Chair Williamson stated that recordation is a good option to consider, shared the concern about clouding title, and noted that while it makes sense for the restoration obligation to run with the land, she questioned whether a personal fine should. She suggested that staff return to the Committee with research on the pros and cons of that approach. Ms. Aldean added that if a future violator agrees in a settlement agreement to its recordation, that party could not later claim lack of notice of a potential cloud on title, which would provide TRPA a measure of protection.

Ms. Leumer asked how common retroactive approvals are. Mr. Sweet stated that TRPA issues retroactive approvals regularly. Staff evaluates early whether an improvement is approvable to avoid requiring removal and reconstruction, and double filing fees are commonly applied to permissible activities completed without a permit, similar to the practice of the counties and cities.

Ms. Faustinos asked whether there is an interest or other penalty if payments are not made on time. Mr. St. Michel stated that the agreement provides a short notice period, approximately ten days, for a missed payment, after which the full outstanding amount becomes immediately due; no additional penalty would apply.

Mr. Kieckhefer noted that TRPA is relying on Mr. Powers to provide 30 days' notice of a sale and asked whether any other mechanism exists to trigger that notice. Staff responded that failure to provide notice would be a default under the settlement agreement, which could trigger acceleration, but that staff would likely need to monitor the property. Chair Williamson suggested this issue be considered going forward and noted that a sale of a high-value lakeshore property would likely become known. Mr. Mensik stated that the restoration work will require ongoing coordination with TRPA staff, and Mr. Sweet stated that he expects members of the community would notify him if the property is listed for sale.

Ms. Aldean asked about notifying the Washoe County Recorder's Office to alert TRPA of a sale. Mr. St. Michel stated that staff can look into that.

Mr. Kieckhefer thanked staff for the significant work on the settlement. Mr. Sweet thanked Mr. St. Michel and Mr. Mensik, describing the settlement as a team effort.

Member Aldean made the motion to approve the Settlement as shown in Attachment A with direction to staff to research whether recordation of settlement agreements should be done in the future.

Ayes: Ms. Aldean, Ms. Faustinos, Mr. Kieckhefer, Ms. Leumer, and Ms. Williamson.

Nays: None.

Motion carried.

LEGAL COMMITTEE

September 23, 2026

6. COMMITTEE MEMBER COMMENTS

None.

7. PUBLIC INTEREST COMMENTS

None.

8. ADJOURNMENT

Ms. Aldean moved to adjourn.

Meeting adjourned at 8: 48 a.m.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "K. Huston", with a horizontal line extending from the end of the signature.

Katherine Huston
Paralegal

The above meeting was recorded in its entirety. Anyone wishing to listen to the recording 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. The initial draft of these minutes was generated with the assistance of artificial intelligence tools using the official meeting recording and transcript. The draft was reviewed and edited by TRPA staff for accuracy and completeness prior to approval.

**TAHOE REGIONAL PLANNING AGENCY
OPERATIONS & GOVERNANCE COMMITTEE MEETING MINUTES**

September 23, 2026

TRPA/ZOOM

***DUE TO A RECORDING ERROR, COMPLETE MINUTES ARE NOT AVAILABLE**

1. CALL TO ORDER AND DETERMINATION OF QUORUM

Ms. Laine called the meeting to order at 8:30 a.m.

Members present: Mr. Aguilar, Mr. Bass, Ms. Gustafson, Mr. Tolbert, Ms. Laine

2. PUBLIC COMMENT

None.

3. APPROVAL OF AGENDA

Mr. Cox stated that there were no changes to the agenda.

Ms. Laine deemed the agenda approved as posted.

4. APPROVAL OF MINUTES

Ms. Gustafson moved approval of the September 23, 2026, minutes as presented.

Motion carried.

5.A. [Discussion and possible recommendation for approval of August Financials](#)

Mr. Chad Cox, TRPA Chief Financial Officer, presented the item. *(Due to a recording error, complete minutes are not available.)*

Slide 3: Mr. Cox noted that revenues were at 15% of budget, compared to 17% of the fiscal year elapsed. He said that local revenues of \$150,000, representing county contributions to support the agency, would be invoiced in October. Rental revenues and other revenues, primarily interest income from investments, were on track. He also reported that \$573,000 in mitigation revenues had been collected to date, with mitigation projects anticipated to come before the Committee in the coming months.

OPERATIONS AND GOVERNANCE COMMITTEE

September 23, 2026

Mr. Bass asked whether Nevada state appropriations could provide an avenue to request transit operating funds comparable to those provided by California. Mr. Cox explained that the Nevada Legislative Oversight Committee's recommendations had included support for TRPA's budget and several incremental funding requests, but had not included transportation funding. He suggested that the matter would be appropriate for discussion by the Transportation Committee.

Slide 4: Turning to expenditures, Mr. Cox reported that approximately \$2 million, or 5% of the budget, had been expended to date, primarily on salaries, which were tracking as anticipated. Contract expenditures totaled \$333,000 and were expected to increase as grant implementation progressed. He explained that the early months of the fiscal year were largely focused on processing prior-year invoices and completing the FY 2026 audit. Building financing payments were scheduled for December and April, and other expenditures were on track.

In response to a question from Chair Laine, Mr. Cox confirmed that contract expenditures included both grant-funded and general fund activities, with grants representing the majority. He also reported \$125,000 in mitigation expenditures to date, with additional expenditures anticipated as projects were brought forward throughout the fiscal year.

Slide 5: Regarding cash flow, Mr. Cox reported a year-to-date balance of approximately \$6.3 million, largely attributable to state appropriations that would be expended throughout the fiscal year. He noted that \$346,500 in state appropriations designated for the Tahoe Transportation District (TTD) had been received and transferred to TTD the previous month.

Mr. Bass suggested pursuing a Nevada contribution representing approximately one-third of the total funding, with California providing the remaining two-thirds. Chair Laine noted that, under Ms. Hill's leadership, efforts had been made to establish more consistent state funding for transit operations, and that Nevada's contributions had improved in recent years.

Motion:

Mr. Bass made a motion to recommend approval of the August Financials, as presented.

Ayes: Mr. Aguilar, Mr. Bass, Ms. Gustafson, Mr. Tolbert, Ms. Laine.

Nays: None.

Motion passed.

5.B UPCOMING TOPICS

For the upcoming October meeting, Mr. Cox reported that staff will present the annual planning fee and mobility mitigation fee updates, reflecting an inflation adjustment of just over 3% based on the Western States Consumer Price Index (CPI) published in September.

In November, the Committee will hear the monthly financial package and Treasurer's Report. Audited financial statements for FY 2026 are anticipated in December, followed by a review of the first half of the fiscal year in January. Mr. Cox added that the Aquatic Invasive Species (AIS) inspection fee update is scheduled for February.

OPERATIONS AND GOVERNANCE COMMITTEE

September 23, 2026

This item was informational only.

6. COMMITTEE MEMBER COMMENTS

None.

7. PUBLIC INTEREST COMMENTS

None.

8. ADJOURNMENT

Ms. Laine called to adjourn at 8:49 a.m.

Respectfully Submitted,



Tracy Campbell
Environmental Improvement Program Coordinator

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

TAHOE REGIONAL PLANNING AGENCY
GOVERNING BOARD MEETING MINUTES

September 23, 2026

TRPA/ZOOM

1. CALL TO ORDER AND DETERMINATION OF QUORUM

Chair Ms. Williamson called the meeting to order at 10:04 a.m.

Members present: Ms. Aldean, Mr. Aguilar, Mr. Bass, Mr. Cannata, Ms. Faustinos, Ms. Gustafson, Mr. Guthreau, Ms. Hill, Mr. Hoenigman, Mr. Kieckhefer, Ms. Laine, Ms. Leumer, Mr. Tolbert (for Mr. Rice), Ms. Williamson

Members absent: Ms. Hays

2. PLEDGE OF ALLEGIANCE

3. PUBLIC INTEREST COMMENTS – ON AGENDA ITEMS

None.

4. APPROVAL OF AGENDA

Mr. Nielsen stated that there were no changes to the agenda.
Ms. Williamson deemed the agenda approved as posted.

5. APPROVAL OF MINUTES

[August 26, 2026 Governing Board Minutes](#)

Ms. Aldean made a motion to approve the August 26, 2026 minutes as presented.

Motion carried by voice vote.

6. [TRPA CONSENT CALENDAR](#)

A. [August Financials](#)

B. [Resolution of Enforcement Action, John A. Powers; Unauthorized Construction in the Shorezone and Additional Code Violations; 1707 Lakeshore Boulevard, Incline Village, Nevada; Assessor's Parcel Number \(APN\) 130-331-02, TRPA File No. CODE2025-0014](#)

Ms. Laine said the Operations and Governance Committee recommended approval of Item A.

Board Comments & Questions

None.

Ms. Williamson said the Legal Committee recommended approval of Item B. This was very voluminous, so I won't try to summarize it here. In addition to approving the settlement agreement, there was the idea of potentially recording settlement agreements against property in the future, which staff agreed to research.

Board Comments & Questions

None.

Motion:

Mr. Hoenigman made a motion to approve the TRPA Consent Calendar.

Ayes: Ms. Aldean, Mr. Aguilar, Mr. Bass, Mr. Cannata, Ms. Faustinos, Ms. Gustafson, Mr. Guthreau, Ms. Hill, Mr. Hoenigman, Mr. Kieckhefer, Ms. Laine, Ms. Leumer, Mr. Tolbert (for Mr. Rice), Ms. Williamson

Motion carried.

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

Motion carried by voice vote.

7. TMPO CONSENT CALENDAR

A. [Adoption of the Final 2027 Tahoe Regional Planning Agency/Tahoe Metropolitan Planning Organization Federal Improvement Program \(FTIP\)](#)

Ms. Hill said the committee had a great discussion on the work plan funding and how the locals, regional, and state governments as well as our private folks are stepping up and providing funding in the basin. We're also trying to get another bi state meeting together to discuss transportation funding and efforts. We want to be able to inform both governors why it's important to invest in us. The committee also recommended approval of the FTIP.

Board Comments & Questions

None.

Motion:

Ms. Hill made a motion to approve the TMPO Consent Calendar.

Ayes: Ms. Aldean, Mr. Aguilar, Mr. Bass, Mr. Cannata, Ms. Faustinos, Ms. Gustafson, Mr. Guthreau, Ms. Hill, Mr. Hoenigman, Mr. Kieckhefer, Ms. Laine, Ms. Leumer, Mr. Tolbert (for Mr. Rice), Ms. Williamson

Absent: US Forest Service representative

Motion carried.

Ms. Aldean moved to adjourn as the TMPO and reconvene as the TRPA.

Motion carried by voice vote.

8. APPEAL

- A. [Appeal of Verification of Existing Land Coverage, Land Uses, and Recreation Capacity; Lakeside Park Association; 4041 Lakeshore Boulevard, City of South Lake Tahoe; Assessor's Parcel Numbers \(APNs\) 029-601-001 and 029-601-002; TRPA Project File No. VBOC2025-0203, TRPA Appeal File No. ADMIN2026-0012](#)

Mr. St. Michel provided some context for why we're here and clarify one procedural point for the Board. This is an appeal from the Executive Director's verification of existing development rights at the Lakeside Beach and Marina here on the South Shore. The owner of the Marina is appealing one narrow part of that staff verification, which is the determination not to recognize a legally existing pier associated with these parcels.

The significance of that determination comes from TRPA's 2018 Shoreline Plan. The Shoreline Plan sharply limits the number of new piers that may be authorized around Lake Tahoe, and a legally existing pier carries a significant development right that, subject to additional code requirements and TRPA review, may in some circumstances be relocated or transferred to another parcel.

We understand why the Marina is interested in having the structure recognized as a pier. It can be a valuable development right. But the significance of that right is also why this verification question matters. The issue for the Board is not simply what label might describe the physical structure today, but whether the property-specific record establishes a legally existing pier under the Code.

The decision today does not affect whether the Marina can legally maintain and use the existing structure. They can. The only issue is whether the parcel has a separate pier development right. Before Mr. Mensik walks you through the record, I want to clarify the voting requirement for this appeal. On the staff report for the item, it states that a motion to grant the appeal would require five affirmative votes from California members and nine votes overall. That's the voting threshold that applies to Board action on projects, including appeals involving project approvals or denials.

But upon a closer look, this appeal of a development rights verification is not a project. For that reason, the more stringent five-nine threshold does not apply. The applicable voting requirement will be eight affirmative votes, as eight affirmative votes are needed to grant the appeal and overturn the Executive Director's decision.

The Executive Director's decision will stand unless there are eight Board members voting to grant the appeal. And if no Board member makes a motion to grant the appeal, that will be equivalent to a denial of the appeal.

TRPA staff Mr. Mensik, Assistant Attorney, provided the staff determination.

The property in question is located in South Lake Tahoe, not too far from here on the California side, within the city limits of the City of South Lake Tahoe. The property we are referring to consists of two parcels. Slide 4 shows a large lakefront parcel highlighted in yellow that consists of a beach and a marina. There's also a narrow strip parcel between the beach and Lakeshore Boulevard that is not necessarily relevant to this appeal. I'll be referring to this as either the property or the parcels. This appeal concerns the marina portion of the property.

In February 2025, the appellant, Lakeside Park Association (LPA) applied for a TRPA verification of existing land coverage, land uses, and recreation capacity. Verification is a process whereby TRPA staff determines what land uses are legally recognized as existing on a parcel. Verification recognizes what is already there. It does not approve anything new. Verification is not a permit.

In its application, LPA specifically requested that TRPA verify the marina structure that is shown on Slide 6. It is circled on the screen as a "multiple-use pier." This is the structure that we will be discussing today.

TRPA completed its verification in January 2026. Among other findings, TRPA determined that there is no pier associated with the parcels. Today, LPA appeals only that finding. The rest of the verification is not in dispute. The issue for the Board today is whether the record establishes a legally existing pier associated with these parcels. Staff believe it does not, and our recommendation is to uphold the verification and deny the appeal.

There's a two-part test for verifying a pier as legally existing under the Code of Ordinances. Slide 8 shows the two questions that drove staff's analysis during the verification process, and they are the two questions that govern the outcome of this appeal. To grant the appeal, the record must show that the structure was either, one, authorized as a pier by a TRPA permit or other approval, or, two, was legally present as a pier prior to 1972. The Board is not being asked to approve a new pier, only to determine whether the record supports verification of a legally existing one under one of these two criteria.

As a threshold matter, the term "pier" has a specific meaning under the Code of Ordinance. It is a structure that is intended as a temporary mooring or landing for watercraft. When TRPA staff and I use the term "pier" in the context of this verification and this appeal, we are referring to this specific definition. The intent of the structure is a key consideration in determining whether a structure qualifies as a pier. The Code also contains other definitions for other shoreline structures as shown in Slide 9. Similarly, we don't use those terms casually. They have specific meanings under the Code of Ordinances.

As Mr. St. Michel said, "pier" is not a mere label under the Code. A legally existing pier is a valuable shoreline development right. Existing piers can be relocated on the same property. They can be transferred to other properties, and existing piers also dictate future shoreline potential, such as whether a parcel is eligible for an additional pier.

This appeal is not just an academic discussion about what is the right name for this structure. This appeal carries the consequence of potentially recognizing a development right that was not there previously.

Turning back to the two-part test, the first question that we must answer is whether TRPA has authorized the structure as a pier. Slide 12 is helpful as it shows a photo of the marina in 1973. The disputed structure is on the right, which at the time was one of the marina walls and housed some of the marina's boat slips.

Slide 13 is a recent photo showing the current layout of the marina. The structure on the right still serves as one of the marina's walls, but the boat slips are gone. That was the result of a reconfiguration project at the marina that took place during the mid-2000s. During the reconfiguration project, both TRPA and the California State Lands Commission issued approvals beginning in approximately 2004. Those approval documents referred to the disputed structure as a "breakwall."

More importantly, these approvals did not authorize the structure as a pier. State Lands never issued a pier lease. Nor did TRPA issue a pier permit or other authorization. In fact, the 2004 TRPA permit expressly stated that the permit did not serve to verify the legality of the marina or other breakwater structures, as quoted in the red text on Slide 14.

This posture continued in permit records up to the present day. The marina configuration required another TRPA permit in 2006, which again referred to the structure as a "breakwall" and again declined to verify the legality of any structure. State Lands renewed its lease for the property in 2024, but did not describe the structure as a pier, nor did it issue a pier lease.

This information helps us to reach an answer to question one of the two-part tests. Has TRPA ever authorized the structure as a pier? The answer is no. The permit records staff reviewed show TRPA has never authorized nor verified the disputed structure as a pier.

Moving on to question two, since no pier permit exists, was the structure legally present as a pier prior to 1972? To answer this question, we turn back to the marina's history. Slide 15 shows a Google Earth photo from 1969. It shows the structure as one of the marina's walls, housing boat slips. For a photo with better resolution, Slide 18 is the 1973 photo shown previously. The marina in this photo largely looks the same as in the 1969 photo. And again, the relevant question is whether this structure was legally present as a pier at that point in time.

This means we must ask whether the structure was intended for temporary mooring or landing per the Code of Ordinances definition of a pier, the answer to that question is no. The intent of the structure at the time was as one of the walls protecting the marina. It also housed boat slips, which are used for permanent rather than temporary mooring purposes.

Turning back to the two-part test, there's insufficient information to satisfy either prong. First, the structure was never authorized by TRPA as a pier because the record does not contain a TRPA permit, verification, or other parcel-specific determination that authorizes the structure as a pier. Second, the structure was not legally present as a pier prior to 1972 because the historical record shows that the structure was part of the marina's enclosure and slip system, rather than a separately established pier.

Having failed to meet either prong, the conclusion is that the record does not establish a legally existing pier under the TRPA Code of Ordinances. TRPA staff's determination on the verification was correct, and the appeal should be denied.

Failure to satisfy the two-part test is sufficient to deny the appeal. That said, appellant's statement raised several additional arguments. Those do not directly pertain to the two-part analysis.

First, appellant's statement asserts that the structure is a pier because it is used in a pier-like manner. But the relevant test for us is not how the structure is used today. The relevant test is whether TRPA has permitted the structure as a pier or whether it was present as a pier before 1972. Neither is the case. A structure does not become a legally existing pier merely because it has been reconfigured over time to better accommodate temporary mooring. Even if present use were the relevant test, any temporary mooring is incidental to the structure's primary intent for marina protection, as was the case in 1972.

Second, appellant also refers to a data set that TRPA created for the 2018 Shoreline Plan, which resulted in a map that marked the structure as a pier on both the Shoreline Plan Draft EIS and on TRPA's online shoreline permitting map.

That data set was a loose inventory that staff generated for planning purposes. It does not reflect regulatory determinations or parcel-specific verifications. Basically, marking a structure as a pier in this data set did not reflect a TRPA verification or determination that the structure was a legally existing pier. This was made clear in the express caveat that the data set was for reference purposes only and subject to field verification. Converting a GIS data set into legal verifications of valuable development rights is not the outcome that was or is intended by making this data set publicly available.

Appellant also analogizes to a structure at Tahoe City Marina, which they allege to be similar. Tahoe City Marina went through its own significant expansion and reconfiguration project in the 2000s, and a TRPA permit from 2008 referred to the large structure on Slide 23 as a "public pier." But TRPA has never conducted a pier verification at Tahoe City Marina. The use of the word "pier" in a permit by itself does not amount to verification of a legally existing pier.

More importantly, though, terminology used in a different permit on a different property does not control the verification of structures at Lakeside Marina. Only the record pertaining to Lakeside Marina can resolve this appeal today, not some other property's records.

Then the appellant points to TRPA's definitions for "catwalk" and "marina." A catwalk, also called a floating dock, is described as an accessory structure to a pier in the Code, and the Code also recognizes that piers are one structure that marinas may contain. The appellant implies that the structure must be a pier because it has a floating dock and is within a marina. But that argument reverses the logic of these definitions. You can't attach a floating dock to any structure and claim it as a pier under the Code. And piers are just one of many structures that a marina may contain. The Code does not say that every marina necessarily contains a pier.

Lastly, granting the appeal would have consequences that go beyond this particular structure. This marina contains other structures that are similar to the one at issue. If the Board accepts the appellant's argument and grants the appeal, then the appellant could similarly argue that the other structures in the marina are also piers. Other marinas around the lake similarly could make the same arguments for their structures.

The agency and the Board thus might find this issue quickly getting out of control, which is contrary to the regulatory intent of the recent Shoreline Plan with respect to piers. The record does not establish a legally existing pier associated with these parcels. And staff recommend that the Governing Board deny the appeal and uphold the verification decision.

Appellant presentation:

Mr. McGuffin, Attorney for Lakeside Park Association (LPA).

Every picture that you were presented with today by staff showed a structure that looked like a pier and functioned like a pier when you talk about temporary mooring of vessels. That is true from 1969 until the present. Our specific purpose today is to ask the Board to grant the appeal and reverse the verification's finding that there is no pier associated with these parcels.

This is a narrow verification appeal, as stated by TRPA staff. We're not requesting approval of a new pier, any expansion, added slips, increased marina capacity, or any future modification. The question is whether the existing Northside Marina structure should be verified as a pier under the applicable Code of Ordinances definitions and existing development standards.

Staff's standard departs from the Code. I think the first thing that Mr. St. Michel said as he introduced this appeal is does the property-specific record establish a legally existing pier under the Code? So we have to do this under the TRPA Code of Ordinances. Staff correctly quotes the present Code definition of existing: "Legally present or approved on the effective date of the Regional Plan, which is July 1, 1987, or later legally constructed, commenced, or approved with necessary permits." The text of the TRPA Code Section 90.2 says, "Legally present or approved on the effective date of the Regional Plan or subsequently legally constructed, commenced, or approved pursuant to necessary permits." Derelict structures are not considered existing for the purposes of Chapters 50, 51, and 52, etc. but is not relevant here.

But staff has substituted a more demanding test, saying that unless LPA can produce a later pier-specific approval, LPA must prove the structure existed as a pier before February 10, 1972. The current Section 90.2 definition does not say that every structure lacking a pier permit must be separately classified as a pier before February 10, 1972. February 10, 1972, may be relevant historical evidence bearing on legal presence, but it cannot replace the adopted July 1, 1987, standard or create a separate pre-1972-as-a-pier element absent from Section 90.2. There is no language in the Code that makes this requirement. There's language in the Code for the specific requirement related to buoys, but not for piers.

Second, the staff report talks a lot about it being a marina. But the Code defines a pier functionally as a fixed or floating structure intended as a landing or temporary mooring for watercraft, with the specific shoreward extension or depth. It defines a breakwater as a man-made structure that diminishes wave force. And a jetty is a man-made barrier in the water, usually, but not always, perpendicular to the shore. Those definitions do not say a structure can serve only one function. A marina structure can function as a breakwater or jetty and still be a pier if it is intended and used as a vessel landing or temporary mooring. The Code of Ordinances itself recognizes piers associated with marinas. So the dispositive question is not whether the north structure also protects the Marina basin. The question is whether it meets the pier definition and was legally present or approved under Section 90.2. We've seen pictures already showing that in 1969, the structure that

we're discussing right now was in existence. In that same picture from 1969, there were boats moored to it or using it as a temporary docking site.

The 2004 Marina plan that we discussed described a four-foot floating dock inside the northern breakwall for transient, temporary tie-ups and an eight-foot fixed dock on top of the breakwall for waterborne transit berthing. The 2006 permit authorized the four-foot floating dock inside the northern breakwall for the loading and unloading of passengers. That is direct evidence of the vessel access, landing, and temporary mooring function addressed by the pier definition. LPA is not arguing that the 2004 and 2006 temporary permits created a new permanent pier right. Rather, the permitted loading and tie-up activity corroborates what the structure functionally is, a pier.

Boat slips do not disprove pier status. Staff reasons that historical boat slips attached to the north structure prove they were merely part of the Marina and not a pier. But that reasoning is backwards. The prior slips confirm the structure's long-standing relationship to watercraft access and mooring.

The agenda packet itself says that the north structure historically had slips attached and now has a floating dock, allowing boats to dock temporarily for loading. Nothing in Code Section 90.2 provides that a pier loses its pier functionality because it is located within a Marina or has served attached slips.

Furthermore, the temporary permits reserved rather than resolved legality. I believe Mr. Mensik has acknowledged that staff rely heavily on the labels "northern breakwall" and "breakwall" in the 2004 and 2006 temporary permits. That was part of their presentation, but the 2006 permits expressly say they did not verify or authorize the legality of the Marina or breakwater structures.

Thus, the temporary permits cannot be treated as a prior adjudication that the structure was not a legally existing pier. They establish only what they say: a temporary authorization for specified marina reconfiguration and passenger loading activity, while reserving a broader underlying legality question.

TRPA's own records conflict with staff's conclusions, and this is one of the things that we brought up in our appeal and that Mr. Mensik just highlighted. TRPA's shoreline permitting map places the north side structure in the official pier layer. It identifies it specifically as a pier. Why does it do this? Because it looks like a pier. It acts like a pier. And the intent of LPA and everybody within that community utilizing it is to treat it as a pier. One of the things that Mr. Mensik mentioned is that one of the important things considered when determining whether something is a pier or not is intent. The intent, since at least 1969, which is the best historical Google image that we have, is that it has been treated as a pier and used as a pier since that time.

Staff concedes that fact. LPA does not argue that the map alone is a conclusive parcel-specific verification. We never have. We just pointed to the fact that it exists and it's misleading. But the map is official TRPA evidence, and it creates a material inconsistency that staff must explain. They can't just dismiss it like they have.

The Board should ask what source material was used for this classification. Why was it labeled as a pier on this specific map? When was it entered? Who created it or last modified the feature, and what records support disregarding it here?

One thing that I find interesting in the linear function in which it was presented, is that staff warns that verification could allow other Marina walls, breakwaters, or jetties to claim pier status. That's a slippery-slope argument, not an application of the Code to LPA's record.

We first talked about the Tahoe City Marina, and it's true we brought that up in our appeal to point to another similar marina that had what was labeled as a pier. Although that particular pier isn't nearly as identifiable as a pier as the LPA pier.

Mr. Mensik was very clear that what happens at the Tahoe City Marina isn't what's going to happen at LPA or in any other location on the lake that goes through a specific process with TRPA for verification or for any other permitting process. Mr. Mensik went on to say that we're worried that if we verify this structure as a pier, then LPA might turn around and ask for other portions of the Marina to be verified as a pier, or other people along the lake might ask for other structures that are similar to be treated as a pier.

He answered his own question. If we're going to treat Tahoe City differently, then we're going to treat the Lakeside Marina well, everybody gets treated differently. Everybody must meet certain requirements under the Code of Ordinances. The Code must be applied correctly as written and uniformly across the board. Other structures have to satisfy the Code's existing standard correctly, and all applicable lake zone and Marina regulations as to whether or not we could ask for other portions of the Marina to be labeled as a pier.

I'm pretty sure that a single parcel or project area can't have more than one pier. I might be wrong there. I'm pretty sure that the Board can decide this narrowly based on one specific structure, this record, and these parcels. And we don't have to look outside of that. The legal question is not whether the north structure is only a pier. It is whether it is a legally existing multifunctional structure that meets the Code's functional definition of a pier, which it does. The record supports that conclusion.

The structure's long-standing presence since 1969, its prior attachment of Marina slips, which you have seen, its authorized passenger loading and temporary tie-up functions, which have been acknowledged in prior temporary permits issued by this agency, TRPA's own pier layer designation. Which, if you go to it right now, still shows this as a pier, and the lack of any prior determination resolving the structure's legality against LPA.

Staff's contrary conclusion rests on a heightened requirement not found in the current TRPA Code of Ordinances, Section 90.2 definition, and an unsupported premise that a pier cannot also be a breakwater or a Marina structure.

LPA respectfully requests that the Board grant the appeal and reverse the finding that no pier is associated with the subject parcels.

Staff rebuttal:

Mr. Mensik said regarding the question about the definition of "existing" under the Code of Ordinances. Mr. McGuffin is correct that the Code does say it has to have been legally present before the date of the Regional Plan. There is a nuance with respect to piers. TRPA began to

regulate piers following the enactment of the first Tahoe Compact in 1979, with ordinances that took effect on February 10, 1972.

That means that between 1972 and the enactment of the Regional Plan following the second Compact in 1987; to get a pier, you needed a TRPA permit. Therefore, for purposes of this presentation, we simplified the test. To show that a pier is legally existing, it must have been legally present before 1972, prior to which TRPA permits were not required to build a pier, or a pier must have been approved pursuant to a TRPA permit following February 10, 1972, which is the date that TRPA permits took effect. That's a complicated legal nuance and was explained in the staff report.

Present use is not the relevant test. The use today for temporary mooring or landing is not what we have to consider. The intent for temporary mooring or landing comes into play when we ask whether this legally existed as a pier prior to 1972. The photos show that at that time this was one of the Marina walls. It housed boat slips. Boat slips are permanent moorings rather than temporary moorings. If boat slips could be considered temporary moorings, then the whole Marina is a pier under that logic.

Following 1972, again, we are asking whether there has ever been authorization pursuant to a TRPA permit. As explained, it has not been authorized pursuant to a TRPA permit.

The permits in 2004 and 2006, yes, they allowed some limited mooring for waterborne transit and water taxis. Those permits explicitly stated that they were not serving as a legal verification of any use. They did not verify this structure as a pier. We are showing the examples of the references to the term "breakwall" in those permits, not to argue that they were legally verified as a breakwall. We're just trying to show how TRPA staff and State Lands were thinking of this structure at the time, and its evidence that they were not thinking of this structure as a pier.

But that's kind of secondary. The main takeaway from those permits is that they were not verifications of a legally existing pier as required under our Code of Ordinances.

With respect to the Shoreline Plan, I'll refer that to Mr. St. Michel.

Mr. St. Michel said Mr. McGuffin brought up the pier layer on the shoreline map. The purpose of an Environmental Impact Statement (EIS) is to characterize physical conditions for purposes of environmental analysis and planning. The reason it's called a verification process is because that planning tool, when it was looked at by aerial maps or field observations, are not doing a verification. They're not doing the test that TRPA staff apply to verify whether these structures are legally existing as what now they're being claimed to be here. That planning tool is to do an analysis of baseline conditions so that when we're setting the cap on new piers, you could conservatively analyze the potential impacts of the incremental build-out of what you're authorizing. It would have been extremely time-consuming to go around and verify every particular structure as a pier. It was a top-level analysis that was subject to verification, which is the process that we're here for.

There's nothing wrong with that data set map. It just doesn't mean that those structures are, in fact, piers. It makes sense from an environmental review perspective that it would have been a bit more overinclusive of counting structures on the lake that could look like a pier. That doesn't mean that it's legally existing as a pier under the Code. We can continue talking about this, but I don't feel that it makes the staff's decision defective here.

Mr. Nielsen said we have land capability maps that have been used for a very long time for landscape-level planning. Where is the best place for development to occur? You don't do that on a parcel-specific basis. You do that on the landscape. However, when development proposals come in at later dates, we verify the exact land capability for those parcels because that landscape-level map was just used for planning purposes.

It's the same case here with these maps and shorezone ordinances. It's used for planning purposes at a different scale. When you get to the parcel-specific level, we must verify it. It's very critical that we get those environmental conditions right with verifications.

Mr. Mensik continued with the staff rebuttal:

Those shoreline permitting tools have other examples of structures that are clearly mislabeled as piers.

With respect to the point about this setting a precedent, that is a very real concern. Again, we do have to consider every other property individually, but that doesn't mean that, by approving or denying this, the Board isn't setting precedent with every action that it takes. Almost 20 years later we're having to answer questions about why a permit for Tahoe City Marina was labeled a public pier. The concern is not that this will create some sort of binding decision, but rather that staff may suddenly be getting applications to verify things as piers that they previously haven't considered piers. We may be seeing a lot more appeals on this same subject. That may be very overwhelming and is probably contrary to how this Board and this agency wants to spend its time.

We have the two-pronged test, and the structure was not legally present as a pier prior to 1972. And there is no evidence after 1972 of it having been approved as a pier pursuant to a TRPA permit.

Public Comment in support or opposition

None.

Board Comments & Questions

Ms. Aldean said the appellant made reference to the permit that was issued in 2006. What was omitted from his recitation was the fact that it said the permit does not authorize the eight-foot-wide dock on top of the breakwater, which I believe is significant. Subsequently there was a quiet title action, and there was a survey done by Loomis and Associates where it specifically identifies the structure in question as a bulkhead. I'm assuming that survey was done by the plaintiff, who at that time was the Marina. It seems to me that if they had always considered this a pier, they would have protested the use of any descriptor that didn't match the idea that this was a pier. That is concerning.

Based on what counsel has advised us, and that was one of my additional questions, there is going to be no adverse impact on the Marina operation in terms of using the floating dock as a way for people to embark and disembark. We're talking about the adverse impact possibly on the overall

value of the Marina, which is not within our wheelhouse. That's not something that we typically consider as a reason for making exceptions to our code.

I'm concerned that if we grant the appeal, it's going to have an adverse effect on permitting future floating docks that are adjacent to breakwalls. That would be unfortunate because people do need to safely embark and disembark from boats.

Ms. Laine said the presentation mentioned that they don't pay a pier lease. What is the pier lease, and who does that get paid to?

Mr. Mensik said the bottom of Lake Tahoe is owned by each respective state. And when you are building a pier, you are leasing public land. When we approve new piers, a lease is required from either the State Lands Commission in California or the Nevada Division of State Lands (NDSL) in Nevada. The Marina has had a lease from the California State Lands Commission because their Marina is occupying public land on the lake bottom. State Lands has always leased the Marina just as a Marina, they have not issued a separate pier lease. That's not controlling evidence for the two-part test. It is just more persuasive evidence of how state agencies have thought of this structure over the past 50 years or so.

Ms. Laine said for some of the newer Board members, can staff remind the Board why it's important to TRPA to control the number of piers.

Ms. Regan said it is important to have the context around the Shoreline Plan. If you think back to the various timeline of the first Interstate Compact of 1969. We started recognizing different permitting for piers in 1972. The Compact was amended in 1980. Piers, moorings, and buoys were always difficult to reconcile and to find policy consensus that those updates were never fully fleshed out in any of those actions.

After that, there were numerous Shorezone Plans that were undertaken, adopted, litigated, thrown out by the courts, and redone. The last one, in 2018, represented three-plus years, 40 stakeholder meetings, and a mediator to have all parties meet such as lakefront owners, the environmental community, marinas, the public, the states, and other entities like the Coast Guard and Army Corps of Engineers that all play a role in the shoreline.

That plan was not litigated. It's important to recognize that the policy directive in that plan was a very limited number of piers metered out over time. Among that also was a consideration for boating capacity overall. That's why we count moorings, boat lifts, and buoys, public access, and recreation, which is a very new and emerging area of non-motorized watercraft and how that interacts in the shoreline between motorized recreation boats and non-motorized paddle craft. All of that was considered in the Shoreline Plan. There are many reasons why the shoreline is so important. It's, of course, our lake water clarity, but it was also a big discussion that we had many scientists engage on around fish habitat, public access, recreational access, as well as scenic resources. The scenic resources play a very prominent role in shoreline policy because we must be able to mitigate the visual impact of structures in the shoreline, a pier, a mooring, etc.

Thank you to staff for working with the project applicant, the appellant in this case, to work through these issues. Transportation and shoreline are the two most complicated areas of policy that you as a Board must reconcile that our staff get involved in. Our staff have been very

thoughtful in how they've worked through these questions because the Board set that policy in 2018. We've been steadily working through implementing that and it takes a careful eye to make sure that we're implementing the intent of the policy.

Thank you to the staff and to the legal team that have worked hard on this.

Mr. Miller, Senior Environmental Specialist at TRPA, said Ms. Regan covered it well. Additional impacts from piers are the scenic impacts and navigational impacts of these additional structures on the lake. The Shoreline Plan's intent was to limit the impact of those in certain areas and around the lake to ensure that we didn't end up with a pier for every parcel and have those major scenic impacts and navigational impacts.

Separately, it addressed marinas, and existing marinas have the ability to expand and add new slips. For example, if this structure didn't exist today, they could add new slips right where that is. Under the Shoreline Plan, they could get allocations for new slips and add them in that exact location and essentially have the exact same function that they currently have. That sums up why staff looks at this structure as not a pier. They could add slips there today if that structure didn't exist.

Mr. Hoenigman said it's complicated. Per the Code of Ordinances, the legality of it, it doesn't matter how it's used or what we call it on a document; it's whether it was permitted. We're talking about three different time zones that have been brought up recently. After the last Regional Plan, no permit specifically laid it out as a pier in the time between 1972 and that plan, no TRPA permit was issued for a pier, even though it appeared on documents. That is not what counts. It's the actual permit.

Pre-1972, before TRPA started doing this, someone else was permitting these things. I know from dealing with it on moorings for our HOA that there would have been a permit. Staff said that there was no permit that called this a pier. No permit permitted as a pier even if it had some uses that were pier-like, and that would have been issued at that time before 1972. Or do we rely upon what it looked like, how it was functioning at that time? What's confusing is the pre-TRPA, how that permitting would have worked back then.

Mr. Mensik said before 1972, we rely on whatever regime was in place, and as far as I know, it was five different county governments. There may not have been permitting requirements at all. Our approach for pre-1972 is to just look at legal presence and consider: Does this structure, as it appeared then, meet the definition of a pier under the Code of Ordinance?

Ms. Roll, Principal Planner in the Permitting Department, said in terms of verification, the process is we look at as much information as we can find. We do a good amount of research on every verification, whether it's for land coverage or any other kind of development rights. When the applicant submits their application, they are required to provide as much information as they can find. We rely on that, and then we do our own research. In this case, we couldn't find anything. Not to say that there couldn't be something that exists, but nothing that has been brought to our attention through our research.

Mr. Hoenigman asked if it was correct that State Lands wasn't issuing permits at that time.

Ms. Roll did reach out to State Lands to get any of their permitting history and received a good amount of information from them. I don't feel anything they provided us went back that far in time. It went back 20, 30, or 40 years, but not pre 1969 or 1972.

Mr. Hoenigman said if this were ruled a pier and they want to transfer it to another parcel; would they have to remove what's there now?

Mr. Mensik said yes, that's correct. They would have to remove that structure. And there would be an issue because the code does not allow new breakwaters or jetties. It would leave that whole side of the Marina exposed to the beach and the waves, and we would have to figure out how to replace it, and that would present a significant issue.

Mr. Nielsen said we would have significant concerns about even allowing that to be removed, banked, and transferred somewhere else because of the environmental effects of removing it. The intent of this structure is to diffract wave energy, right, to deflect it. It protects the mooring of the boats within a Marina. That's the purpose of the structure. We would have significant concerns about removing it because of the environmental effects associated with removing it. The overall intent of all three of those walls around what the Marina is designed to do is protect the boats within.

Mr. Cannata asked if TRPA allowed it to be removed, would they be able to submit for additional slips in that spot?

Mr. Miller said yes, they could submit for additional slips. To clarify one point that Mr. Mensik made. Typically, new breakwaters are prohibited, but there are a couple of exceptions such as if it's a component of a permitted Environmental Improvement Program (EIP) project, or implementing an existing Marina master plan and environmental improvements associated with the Marina project. There are situations where we could authorize a breakwater. In this situation that if it were removed and it became an environmental impact, they could get a permit to put it right back into place and function the same way. Yes, they could also get slips in the same location as they had in the past using our allocation system for moorings.

Mr. Bass said it was stated that the determination from a slip to a pier is different. And was that determination made prior to 1972, or when was the determination that a slip is not a pier?

Mr. Mensik said a slip not being a pier is not something that's spelled out in the Code of Ordinances. The definition of a pier is that it is used or intended for temporary mooring or landing. You can pull your boat up to it, drop people off, and then go put the boat somewhere else. Whereas, slips within a Marina are where you keep your boat during the summer or perhaps even all year. A structure that you see in 1969 and 1973 primary intent is to protect the Marina from wave action and to enclose the Marina. Additionally, yes, it does serve to moor boats, but those are permanent moorings. Those are boat slips rather than temporary pickup-and-drop-off functions.

Mr. Bass said that makes sense. I get a little hung up on, did we clarify that because it was clear that the slips were there in 1972, and it looks like they were there in 1969 as well. If I were the property owner who hadn't been told that there's two differences in it, it could make me think that it's a pier because there was nothing that said that a slip isn't a pier. And you could use that as a temporary drop-off point as a slip or a pier.

Is it correct that when we did the 2004 approval, the slips were gone at that point, but we said that the pier was not permitted?

Mr. Mensik said what those permits did is they reconfigured the whole Marina. Overall, the Marina reduced the number of boat slips. They also did some other things on the upland property. The main point about those permits is that there is no evidence that they verified the structure as a pier. TRPA did not say we are also permitting this structure as a pier. The permit said the opposite.

We are not verifying the legal existence of anything. That's evidence that this was not ever authorized as a pier. Again, there's the point about the references to the breakwall, and that's just showing that the planners were thinking of this structure as a breakwall for the Marina. They were not thinking of it as a pier.

Mr. Bass said it existed in 2004, and we did not tell them that it was illegal or could not exist at the time, correct? We issued the permit in 2004, and we did not say that this is either non-conforming or this is not allowed in our Code of Ordinances. I think about prescribed rights. It's been 22 years and we permitted this overall Marina. I know that the Marina business has changed hands, not the ownership, but the actual business of the Marina. And so if the Marina changed hands, that exists with that business now, and we never said that you can't have that. I believe in 2020 is when the marina changed hands. I worry about a takings from that small business.

Mr. St. Michel said we're not saying that the structure is illegal or non-conforming. And that's not the outcome of the staff's decision. The question is, do these parcels have a pier development right? So it's not a taking. These structures have been there. They can continue to be used and maintained. They're not non-conforming and not illegal. It's just not a pier; it doesn't have a pier development right.

Ms. Williamson asked if it was correct that whether we call it a pier or not, it is going to have the same usage. The wall probably can't come down for environmental reasons. Is it fair to say that the value of the development right is in selling the Marina eventually. What we're saying is the usage isn't going to change. And they probably can't transfer this pier. If the usage is going to stay the same and be used in the exact same way, please explain why this isn't a pier or why that matters.

Mr. Nielsen said the boat slips within the Marina can stay. That's a structure that's typically associated with a Marina, a place to tie up the boats. Those are things that we consider to be accessory and a part of the Marina. If they were to tear down this structure and transfer it, they would construct what you typically think of as a pier. You are converting a marina use right to a structure, which is two different things. One is a land use which is the Marina and the other is a structure, a pier. We don't allow for those types of conversions.

Mr. Bass said it was stated that we're not trying to get rid of the pier. Is there a way that could be guaranteed to the business owner that we're not going to come in and say that this is not a legal use and you now have to remove it? And are they able to maintain it? Like with a non-conforming use, there's a lot of areas where you can't maintain and improve or whatever.

Mr. St. Michel said if it's not a legally existing pier, it may be a legally existing jetty or breakwater. It's associated with a Marina use that has been at that site for a long time, well before TRPA's

permitting authority. There is no issue about their ability to maintain it. We're not asserting that it's illegal or non-conforming. It's about what kind of development right is attached to these parcels.

To the point about selling, that's all speculative. We don't know what may be proposed in the future. An important part of this analysis is not so much just that, but upholding the test that staff use to analyze these structures is a big part of this appeal as well. It's not so much as "Oh well, in this particular case, they wouldn't be able to remove that without causing problems to the Marina, and so therefore it couldn't happen. Let's call it a pier. That has downstream implications both for this parcel, but also for the analysis that staff are doing on a frequent basis and introducing that kind of uncertainty into what the test is now.

Ms. Williamson thanked Mr. St. Michel for summarizing why this is so important.

Mr. Tolbert said my career is in construction and residential design. We need to be careful applying today's terminology to structures-built decades before the code. If somebody labeled this in a 1970s drawing as a jetty, that doesn't mean they weren't also thinking of it as a pier. Just because today's definition of pier wasn't included because we didn't look at things that way. Just because somebody didn't necessarily put the word "pier" on it doesn't mean that it wasn't intended for that use. That's very important because those arguments come up when you start thinking about stormwater and flood zones, etc. In the 1970s, they weren't looking at those things. They weren't even part of what was being considered.

Just because something wasn't labeled at that time doesn't mean that it wasn't intended for that use. It's not about setting precedent. The question before us is whether or not this was an established pier in the past or not. It's not a new structure. I don't see what they could do, it is all speculative. For me, the photos and the historical photos are the only things that we really could hang our hats on. Did staff consider that appropriately? That's what we're looking at today.

Referring to Slide 14 that shows boats on that hairpin. Then on Slide 12 from 1973, that section of dock exists for temporary mooring. Just because this side of it is slips, that's temporary mooring in my opinion. If we weren't considering that as part of the temporary mooring to make this an additional definition of pier, for me, this was a pier back in the 1970s. I would support the appeal simply based on historical evidence, because you can't look for labels. You can look for use and that use that was obviously there and is still there today. There's no other reason for that dock section to be there other than temporary mooring, regardless of whether the slips are there. In my opinion, that structure stands up to the appeal.

Mr. Nielsen said we believe it's important to treat all marinas consistently. We associate certain structures as accessory structures with marinas. Boat slips are one, walkways, and floating platforms as others. Those structures exist within marinas, and they're used for various purposes. But they don't dictate the primary use of that structure, they're just accessory structures. Those are typically associated with marinas around the Basin. That's why we didn't conclude that it was a pier because we treat those consistently and predictably as accessory structures.

Mr. Tolbert said again, those are not mutually exclusive. Just because it's a jetty, and we already established on the record that slips don't necessarily preclude it from being a pier, the argument seemed to be that those were permanent structures, and I see permanent and temporary

structures in that image. I don't see how we're saying that it didn't exist. What other evidence would the owners be required to provide to say that this is established use back in 1973?

Mr. Nielsen said to clarify, we're not differentiating between permanent and temporary. We're differentiating between primary and accessory.

Mr. Mensik said floating docks are an accessory structure and they are often accessory to a pier. Following the logic that a floating dock comes first and points you to where a pier is, then someone could put a floating dock on any shoreline structure and argue that it's a pier.

Mr. Tolbert said that is not what's before us here today. It's whether or not you can establish that this was used as a pier historically, because that's the only argument. What else could the appellant provide? If there's a picture showing this was in existence and it was being used as a pier and just because we call it a jetty doesn't mean it can't also be a pier.

Does the Code of Ordinances specify that this must be one or the other? And we're going to take away those prescriptive rights or not allow those prescriptive rights how we want to see it. How did you take that into consideration or didn't, and why is that not enough evidence that this was used for temporary mooring, which is part of the definition of a pier today.

Mr. Mensik said it's not enough evidence because when you look at the photo and look at the structure as a whole, and in the context of the rest of the Marina, it's one of the Marina walls. It's housing boat slips, just like the Marina wall on the south is a wall that's housing boat slips, just like the wall on the north is a wall that's housing boat slips. Yes, if there's a floating dock that is attached to the end of it, that's an accessory structure. We're looking at what was the primary intent of the structure at the time.

Mr. Tolbert said you are taking one intent; structures have multiple intent. I don't understand what we're looking for.

Mr. St. Michel said Mr. Tolbert is making a valid point. Appeals are difficult. These are these are not easy. Staff are working to apply a difficult Code of Ordinances. That is, staff applying their expertise. There's no one right way to look at this. I think you could make your argument but it doesn't mean that the staff argument is wrong. You can differ from that if you wish. But the staff is looking at the totality of what type of ramifications this decision could have going forward.

It's looking at the history of the shoreline plan and that development of that plan, which was a lot about restricting the number of piers on the lake. Not that Mr. Tolbert's opinion is wrong but I feel strongly that the staff decision is very legally defensible and what the staff has done here is consistent with the Code of Ordinances. Not applying that too loose of a multiple function or there could be a large rock that somebody's attached a floating structure or a mooring for a boat. It's not an easy analysis and you're getting at something that is valid but wanted to point out the difficulty in staff implementing this on a daily basis.

Mr. Kieckhefer said it's not that the structure itself is non-conforming or somehow illegal. Is it used functionally right now as a pier for all intents and purposes. Is that use of a breakwater structure somehow non-conforming so TRPA could say they are not using this structure in a legally permissive way.

Mr. Nielsen said no, we recognize that there are slips or floating platforms that have been used to moor boats. That's typically what you see in Marina and we recognize that use as a part of this process. We verified a number of activities at the Marina because we understand that they want to do some redevelopment in the future. That process is important early on. We recognize those uses and structures, then they can develop their plan based on what the agency agrees with in terms of what's legally existing.

Mr. St. Michel said it will not change the use of that structure today.

Ms. Gustafson said the process for the shorezone/shoreline at the time and the marinas and piers was such a well-publicized process. Why weren't they not involved in that? Every Marina has temporary mooring. I appreciate it being used like a pier. But marinas also have many other standards to meet. The minute we start breaking these down and considering them separately, saleable parcels, we've defeated the purpose of the shorezone process. We're not taking anything away from these individuals. They can continue and improve. They go through the Marina planning and permitting for whatever issues they want. The only reason to define this differently is to try to sell it. That would then defeat the purpose of limiting the piers.

Having lived up here a long time, that was such a long process with litigation and arguments. I feel comfortable with what staff are doing. It's never perfect. What's the difference between small marina, a large marina, some of the private homes have what I would consider a major marina on their property. I think we're doing a good job at the intent of what those settlements were and how we got through that adoption of that.

Ms. Aldean said it's incumbent upon applicants to be proactive. In 2006, as staff mentioned, the special conditions related to the use of the floating dock stated that the permit did not authorize the eight-foot-wide dock on top of the breakwall, which is consistent with staff's interpretation. In the quiet title action that occurred subsequently and I presume that Lewis and Associates was hired by the plaintiff (marina) specifically identifies the structure as a bulkhead. If the owners of the Marina took exception to that, they would have altered that description.

I believe that they were aware of how it was classified and how it was intended to be used. My assumption is that approvals of a floating dock are strictly discretionary. We are not obligated as an agency to authorize the attachment of a floating dock. No good deed will go unpunished. I'm not in favor of this because of the implications when it comes to our shoreline ordinance. A lot of effort, time and energy went into the adoption of that ordinance. It's not perfect and there may be some vaguities that need to be resolved, but it is critically important that we adhere to our standards.

Mr. Cannata agreed with Ms. Aldean and Ms. Gustafson's comments. TRPA's two questions make sense. He asked if there were any floating platforms or structures on the lake that are currently permitted or recognized as a pier.

Mr. Nielsen said not that I'm aware of. They have their own definition in the code and they're typically parts of the Marina accessory supporting that Marina use.

Mr. Bass said I understand the difference of granting a land use and am okay with not granting the appeal. I would like to be assured that we're not trying to take this pier use away because it exists. The business owner of the Marina transferred recently, and I don't think it would be right to pull

that away. If we're not listing it as non-conforming and ten years from now, new staff, etc., decide to take this away. That's where I'm hung up. I understand why we don't want to go against our code and grant the land use. Is there a way that we can assure the Marina owner/Lakeside Park that we're not trying to take this current use away.

Mr. Nielsen said the record of this hearing is evidence of that. But also, we go back to the way we address all verifications. Site assessments, for example, look at a residential property and land coverage and uses. In those determinations for all land use types we document those existing structures and uses. If we find something that is clearly a violation, we will document that in the letter. Depending on the severity of it, we might prioritize that for immediate action. Or sometimes when the deck is a little bit bigger than approved, we will put the owners on notice that this may need to be addressed and corrected. We consistently document those inconsistencies when we're recognizing those existing rights. Board member Kieckhefer was also asking about that. We made it clear that we're not looking at doing that and that we have not identified it in writing any other way.

Ms. Regan said experts can disagree. Thank you to the appellant because in terms of the bigger picture this marina has been a good partner on fighting aquatic invasive species. We have done tests in that marina with UV light. We are working together to protect the lake. What it comes down to is the pier development right. Not a question with the Marina and its functionality. Because this is providing public access to the lake, which is what we want.

Another element that came out of the question from Board member Laine, is we do staff research with the California State Lands Commission. This is not paying fees as a pier to the California State Lands Commission.

Ms. Aldean said I can't speak for El Dorado County or the City of South Lake Tahoe on what their permitting procedures were. My parents owned a home just outside Tahoe City beginning in the late 1950s and continued to own it until relatively recently. In the 1960s, Placer County was issuing pier permits. I presume there were some local permits being issued by each of the jurisdictions around the lake and the plaintiff has not produced any record of a pier permit being issued to the Marina.

Ms. Williamson thanked the Board, staff, and the appellant. It humbles me that we can have this discussion thoughtfully and respectfully. That's not always true. It's nuanced. There is more than one right answer. I always say you can disagree if you do it respectfully. Thank you for being the perfect example of that today.

Mr. Tolbert said I'm not completely understanding this since I'm new to this Board and not knowing all the nuances. If we're just looking at the process, did staff do it correctly? If they can establish a use that is compliant with the pier which was pre-existing, how do I justify discounting that? If we do see that that pier use was there. I'm questioning what it is that we're deciding on because it sounds like we're making policy. If this is a pre-existing pier and it's not going to change anything about how we're using it. If the appellant says that they can show that it was here before, I don't know what to do with that information. It sounds like the board's going to deny it, which is fine.

How do I justify that if I can see that there was enough evidence that this was historically being used as a pier among other things. It seems to me that they've met the criteria and historically

shown that this was used for pier functions as well as a jetty and other things. I need to clear my conscience of how do I agree to uphold staff's process on this one? If I feel like they can establish a historical use.

Mr. St. Michel said your position is in disagreement with the staff. The process is you can make that motion to grant the appeal. This is parcel and location specific. We're not making policy today. We talked about how decisions that the board makes with respect to specific parcels. On the one hand, it is limited to that parcel, but at the same time, there is a degree of precedent.

Mr. Mensik and staff walked through the analysis, the two-part test. It comes down to that there's no real dispute that there's no permit here. The question that you're homing in on is you think that when this structure was established back in that time, it could be used for temporary mooring and the staff position is more limited than that. For various reasons, which I'm not going to go into those items about the floating structures and this breakwater jetty, protecting the Marina use.

When this structure came about, its intent was to protect the Marina and maybe have some slips which are more permanent like moorings. The fact that you could pull up a boat and park there, I think in staff use, that's a pretty low bar to convert all of that to a pier. If you disagree, you can make the motion and the board can vote.

Ms. Regan said the shortest answer is that we feel the staff's recommendation on this is consistent with the previous board's direction on the shoreline policy and how we're interpreting it. It's most consistent with the Shoreline policy, which was agreed to by the board in 2018.

Motion:

Ms. Laine made a motion to deny the appeal and uphold the Executive Director's decision.

Mr. St. Michel said the proper procedure on an appeal is for someone who wishes to grant the appeal to make a motion to grant it. Any member who agrees with granting the appeal would then vote in favor of that motion. Or make no motion at all.

Ms. Williamson said let's stay with the original motion to grant the appeal.

Ms. Williamson asked for a motion to grant the appeal.

Ms. Laine withdrew her motion.

Motion:

Mr. Tolbert made a motion to grant the appeal.

Ayes: Mr. Tolbert

Nays: Ms. Aldean, Mr. Aguilar, Mr. Bass, Mr. Cannata, Ms. Faustinos, Ms. Gustafson, Mr. Guthreau, Ms. Hill, Mr. Hoenigman, Mr. Kieckhefer, Ms. Laine, Ms. Leumer, Ms. Williamson

Motion Failed.

9. EXECUTIVE REPORTS

A. [Executive Director Status Report.pdf](#)

Ms. Regan provided the Executive Director Report.

Following today's meeting, the Board will attend a field tour of State Route 28.

Slide 1 is our staff picnic on Monday at Sand Harbor. This year we combined the picnic with an educational day for staff. Thank you to the State of Nevada and Director Guthreau's staff for meeting with us on the tour. They are also meeting with us today for the educational portion of our tour at Spooner State Park and Sand Harbor. We have other partners joining us as well, including the Tahoe Transportation District and the Forest Service. Our partners provided some excellent education on corridor plans and implementation.

Fall is conference season. Commissioner Tolbert was kind enough to attend our meeting, as he has been very busy with Douglas County serving as the host for the Nevada Association of Counties conference, which is being held here in Tahoe.

In addition to attending conferences to keep up with innovation and the latest subject matter, our staff are also presenting at conferences. We participate on panels and travel across the country to talk about the work we are doing collectively here at the lake to achieve our mission and advance the triple bottom line, where our environment, our lake, our communities, and our economy all benefit.

Slide 2 is from the Association of Metropolitan Planning Organizations (AMPO) conference. TRPA has an MPO designation, which is why you go through the procedural steps of adjourning as TRPA and reconvening as the MPO. Nick Haven is a board member of the National Association of MPOs and has been at the table helping shape national policy on the federal highway bill, which is very active in Congress right now. The conference was held in Sacramento, so we were able to send several staff members to participate, learn about the latest transportation policy developments across the country, and present on some of our programs.

Coming up soon, we have the California Foundation for the Environment and the Economy, an important foundation in California. We are collaborating with the California Tahoe Conservancy to participate. Many members of the California Legislature will be coming to Tahoe in early October, and we will be presenting to that group as well.

We also have a series of other conferences coming up this fall, and I will report back to you next month on those.

The Western Regional Panel is a group of aquatic invasive species experts in the West. Our staff have taken a leadership role through their excellent work, including Dennis Zabaglo, Tom Boos, and McKenize Koch. We will be speaking at the conference about the work we did this summer to protect the lake from the emerging threat of Golden Mussels.

We are also joining a tour to see established Golden Mussel populations in the Delta. We hope to learn more about the threat, the latest information, and what is being done to address it, and then share some of the work we are doing here in Tahoe to combat that threat.

As Board Member Hill noted during the Transportation Committee meeting, the Tahoe Transportation District's board held its strategic planning session last week. We spent the day discussing the future of transportation. I hold the TRPA Board's representative seat on the TTD board. For newer board members, Article IX of the TRPA Compact authorizes the Tahoe Transportation District. That article was amended by the California and Nevada legislatures about six to eight years ago to add three seats to the board: one representative appointed by the Governor of California, one representative appointed by the Governor of Nevada, and one TRPA representative.

I agree with Board Member Hill's comments at the Transportation Committee meeting that the stars are aligning. In my 30 years in Tahoe, I have not seen us working together as a team in a more productive way. It is not just the TTD and TRPA boards working together; our local jurisdictions, the states, and the federal Department of Transportation are also moving in the same direction to advance transportation investment and transit in the basin.

We spent a lot of time discussing transit and its future, including how to connect the 10 or 12 disparate transit operators in the basin. It is not just Placer County and TTD; there are also Vail Resorts and private operators. There is still a lot of work to do, and we had a very thoughtful discussion. I am optimistic about the future if we continue to maintain transportation as one of our strategic priorities. If we let it drop, we could easily return to where we were 30 years ago.

A big thank-you to this board for keeping transportation front and center and advocating in both state legislatures and with the federal government to ensure that critical funding continues to come to Tahoe. We need significantly more investment to achieve the vision outlined in the Regional Transportation Plan, which the Governing Board adopted in July of last year.

Last month, the Environmental Improvement Committee held a hearing on the Caldor restoration project. Because the committee chair was participating online and could not attend in person, Board Member Laine stepped in to chair the committee. I want to thank the committee members for a very thoughtful discussion. Forest Service staff, including the Basin Management Unit supervisor and their team, participated both in person and online to walk us through their plan. We had an overcapacity crowd in the room. I appreciate everyone's attention and the concerns and sentiments expressed by members of the public.

I expect you may hear some follow-up on this during today's public comment period. However, I want to note that the Forest Service did respond to our letter and has committed to collaborating with us. In that letter, they also committed not to use herbicides in the Caldor Restoration Project area for reforestation before 2028. They are further committed to collaborating with us as their implementation plans move forward. We will continue engaging with the Forest Service on this issue.

At this time five years ago, the Caldor Fire was not even 100 percent contained. It is difficult to imagine what it was like five years ago, with the amount of smoke and the trauma associated with evacuating the entire South Shore. People's lives were upended. Our local businesses were

affected not only by the evacuations but also by the smoke and the fear surrounding the fires. It was not just the Caldor Fire. There were also the Tamarack Fire and the Dixie Fire, which burned a million acres just north of us. A big thank-you to our first responders, the Forest Service, and our local fire districts. Our local hometown heroes were the ones who stood together and made a difference.

We have taken several tours recently, including tours around the summit with elected officials. We have looked down from the top of Echo Summit and visited the area near the South Tahoe Public Utility District water tank in Christmas Valley, where the fire burned and where dead trees have been treated throughout the area. We were told that the Type 1 Incident Management Team was at the top of Echo Summit trying to hold the fire back. Those were Forest Service personnel and firefighters from all over the country.

It was our local fire districts who were in people's yards, fighting spot fires and making a stand. The flames had dropped from 100 feet to 10 or 15 feet, allowing firefighters to save neighborhoods. Prior fuel-reduction work in Christmas Valley helped make that possible. I did not want us to lose sight of this important milestone. Next month, we are bringing forward a resolution to mark the full containment of the Angora Fire. We will invite some of our Forest Service representatives and local fire chiefs to attend and address the board as part of next month's meeting.

In October, we typically bring the inflationary adjustment to our fees to the Operations and Governance Committee for consideration. The committee will review the adjustment and make a recommendation to the full board. We will also hear a recap of the Aquatic Invasive Species program, including anything we learn at the Golden Mussel conference. We are steadily moving forward with updates to our recreation and biodiversity thresholds. In TRPA threshold terminology, which refers to the Fish and Wildlife area.

On Thursday and Friday, we also have two days of judging for Best in the Basin. We have partners and other experts joining us for a major tour around the lake. This program recognizes projects that harmonize the built and natural environments and advance TRPA's and the basin's goals. We were flooded with nominations this year. The judging process will take two days. We may bring the results to the board in October, but the item might move to November because there is a substantial amount of work involved in evaluating the nominations and preparing the materials.

Between November and December, the Regional Planning Committee will meet, and we will review the Tahoe Valley Area Plan. We will also have another Transportation Committee meeting.

In December, we will continue to see changes in the Governing Board. We are inviting former members who left the board this year to our holiday luncheon so we can recognize their service. We will hold our annual luncheon at the conclusion of the December meeting.

B. General Counsel Status Report

No report.

10. GOVERNING BOARD MEMBER REPORTS

Ms. Hill thanked TRPA for having a staff member come to the Washoe Tahoe Leadership Academy this week. It's a great way for residents in Incline Village and Crystal Bay to learn about all the different agencies around the lake and to learn about Washoe County's role around the lake and tackle projects to make their community better.

Mr. Bass said following up on some comments I made at the retreat at Granlibakken to look at the issue around conventional herbicide use and what the Code of Ordinances says. Appreciate that Ms. Regan decided to put that in a committee first. I see the point of doing that. We did receive a lot of information from the Forest Service. There was a huge amount of concerned public in attendance. It's good to hear that the Forest Service is going to wait till 2028. To me, the direction at that point was for the Governing Board to look at this. What came out of the committee was a lot of information, but no action. We did not make a plan to bring this back to the Governing Board.

My perspective is that we need to look at an Environmental Impact Report (EIR) on this issue. We have two years between now and when the Forest Service could decide to apply this. It is responsible for us to say at this point, we need to look at an EIR. This is in within the area of the city and El Dorado County. The burn scar is just above the largest tributary to of water into the Lake Tahoe Basin. We know that what filters the water is plant life. We also know that conventional herbicides kill plant life. One of the biggest things that we found out is that they will not be able to apply this herbicide until October, right before snowfall. That's going to bring it right into the meadow that has some of the most important plants that take sediment out of the upper Truckee snowmelt.

Why would we not want to do an EIR that will inform not only us, but the Forest Service before 2028? We have two years for that EIR to be completed, for it to come back to the board. That helps us make an informed decision on whether we want to change our code from discouraged to prohibit or inform the Forest Service. Do we really want to use conventional herbicides in any burn scar? We are unique compared to other forests in the country, and that's why the Lake Tahoe Basin Management Unit (LTBMU) was created because of how fragile of an environment we are. It would only be responsible for us to have this issue come back to vote on doing an EIR. The public will have been heard and allow us the time to do an environmental study. That will inform this board, the public, and the Forest Service on what are the effects of using this, especially in the current burn scar. Our number one mission is to keep the lake's clarity. If the herbicide were to kill the plant life in that meadow, we would have made the biggest environmental mistake of this agency's life.

I thought the direction at Granlibakken was for it to come to the Governing Board. The question is do we want an EIR to be studied on using conventional herbicides? Then it puts this issue to rest until we get the report back. The public has been heard and it gives us the data that we want as environmentalists to make a decision based on data.

Ms. Gustafson reported that the Placer County Commission approved the Eastern Regional Landfill Biomass facility to create biochar. The decision was not appealed and will be moving forward Hopefully that will also assist with getting more of our forests thinned and taken care of with a marketable product called biochar that will have the resulting impact.

Ms. Leumer echoed Mr. Bass' comments. This isn't new, the Forest Service has been using herbicides for years. It's important that we have a policy platform, not just for this instance, but going into the future. We need to understand from a science perspective the implications of the herbicide use. We need to have an agreement if we are okay with this. In what circumstances are we okay with it? Is it all the time? Can they spray thousands of acres indiscriminately? Or if they are going to use herbicides, what are the very narrow circumstances that we're going to be okay with that. What guardrails should be in place in those circumstances?

The fact that we don't have that yet is unfortunate. This came up and we haven't had these discussions, even though this isn't new. By doing an EIR, we're not only informing ourselves, but we're helping the public to better understand this issue as well. It's important that we're understanding the implications here because this is impacting not only the ecosystem, water quality, lake quality, but also every person that lives in Tahoe. I've never received so many comments from everyone I know about this being deeply concerned.

Some people believe we shouldn't allow herbicides at all. Others don't understand what this looks like and what it's going to do. There are a lot of gaps in the information and we feel that we can play a critical role.

On the California state policy side, we wrapped up the legislative session on August 31st. This was the end of a two-year session. Any bills that didn't make it this year are formally dead. We'll start again next year with another two-year session. The governor has until September 30 to sign legislation. There's a handful of wildfire related bills that will be important for us that are still sitting on his desk. A couple of those relate to beneficial fire and increasing funding specifically for community-based organizations and tribes to do more training and capacity building around beneficial fires.

Regarding the budget, this was the second year of the Climate Bond Prop 4 Allocations. It's about \$3 billion that was allocated over \$235 million for wildfire and forest health related projects and other great projects around land acquisitions. We'll see the benefits here in Tahoe, but that only leaves us with about \$4 billion left of this bond. For the last two years, most of the natural resource funding has relied on this bond in conjunction with the Greenhouse Gas Reduction Fund, which comes from the state's cap and invest program. Due to recent policy changes, that funding is going to be significantly reduced. Already, we've seen the wildfire funding be reduced from that pot of funding.

Looking into the future without California's Greenhouse Gas Reduction Fund (GGRF), without bond funding, we're going to have a hard time funding the actions to make our forests resilient to wildfire and protect the forest ecosystems and the communities. That's an outstanding question that we'll be looking at next year.

11. COMMITTEE REPORTS

A. Legal Committee

No report.

B. Operations and Governance Committee

No report.

C. Environmental Improvement Program Committee

No report.

D. Transportation Committee

No report.

E. Regional Planning Committee

No report.

F. Local Government Committee

No report.

G. Tahoe Living Working Group

No report.

12. PUBLIC INTEREST COMMENTS – ON ANY MATTER

Chad Hayes thanked TRPA for everything they do. You don't always get the recognition you deserve. I am here to speak about the glyphosate issue. The Forest Service has the final say in its decisions, and we want to maintain good relationships rather than declare war. I also understand that there is a lot of catching up to do and that politics plays a role in these discussions. I believe our best chance of preventing herbicide use is to identify and implement alternatives. We have a lot of catching up to do, and we need to accomplish something rather than simply banning a product.

I've spent the last month researching every alternative I could find. Quebec has prohibited glyphosate use in its forestry practices since 2001. Its alternatives include brushing, mulching, girdling, grazing, steaming, mounding, culling, cover crops, and more. The Forest Service listed only two alternatives in its PowerPoint presentation, so there is still a great deal to explore.

I understand that herbicides may be the fastest and cheapest option, but good things aren't cheap, and cheap things aren't always good. What will the long-term cost be? I don't know, but I believe it is better to be safe than sorry. I normally speak at City Council meetings. I can almost guarantee that Mr. Bass, Mr. Roberts, Mr. Robbins, Ms. Cregan, and Mr. Friedrich would vouch for my due diligence. I have spent a month researching this issue, and I believe the information in this handout is worth reviewing. Hopefully, it contains some answers we need.

Reid Reichardt said thank you for putting the herbicide plan on last month's agenda. Even on a Wednesday afternoon there were many people that showed up and how important this issue is to the community. I also want to point out that the Forest Service was given more than 30 minutes for its presentation, while the rest of us were limited to two or three minutes. That isn't enough time

to explain the science behind the environmental and health risks associated with synthetic herbicides in the basin. Protect Tahoe has been communicating the community's concerns about this issue. I ask that they are given the same amount of presentation time that the Forest Service received and put them on the agenda as soon as possible.

During its presentation, the Forest Service said, there's nothing wrong with a shrub landscape. In fact, chaparral is a critical phase of reforestation. It provides erosion control in the Caldor protecting Tahoe watershed. It's pulling nutrients back into the burned ground. It has already brought wildlife back. If you walk up there, you'll see abundant conifers growing naturally among the chaparral, without planting or spraying.

What's happening in the Caldor burn area is what is supposed to happen. Herbicides have never been part of natural reforestation. Why spray thousands of acres with chemicals that pose serious health and environmental risks to kill native and vital chaparral in a naturally recovering landscape that the Forest Service itself says is not wrong, in order to replant what is already growing.

I was motivated to speak up about this flawed plan. Years before the Caldor Fire, I went to the Forest Service's Tahoe office and asked why the thousands of very dry burn piles in what would later become the Caldor burn area were not being burned. I was told that after the piles were created, the agency ran out of money to burn them. That was a mistake. Likewise, herbicide is once again the Forest Service's cheap option. But it, too, is a mistake, and likely an enormous one. There are better alternatives. The Tahoe Basin should not be held to the standard of choosing the cheapest option. That should not have happened before the Caldor Fire, and it should not happen now. I know TRPA values its relationship with the Forest Service. Congress created this agency to protect the Tahoe Basin. This place is counting on you. People are speaking up because they care about Tahoe, but two or three minutes is not enough time to explain the science.

Please put Protect Tahoe on the agenda and give them the same amount of time the Forest Service received so the other side can be heard. It is important to fully understand what is at stake for the basin, its people, visitors, forests, wildlife, soil, lake, and future.

Tara Thornton, Protect Tahoe, along with my partner, Kelly Ryerson. We both have more than a decade of experience in policy, legislation, and community organizing on this issue. We are also connected with a large network of scientists specializing in toxicology, forest health, soil, and water, as well as legal experts, including attorneys who have won cases against Monsanto involving claims that glyphosate causes non-Hodgkin's lymphoma.

We appreciate the extensive meetings we have had with your staff and board, the Forest Service at the federal level, the deputy director, and regional and local Forest Service supervisors. We are encouraged by these discussions and appreciate everyone's efforts. You are aware of the community's position on this issue. This is one of the most nonpartisan issues you could face. Protect Tahoe's mission is to establish a bistate, bioregional collaborative stewardship model for healthy forest regeneration and wildfire mitigation without conventional herbicides.

We appreciate the presentation by the subcommittee and the U.S. Forest Service, during which they and TRPA staff answered questions. It was clear to us that the next step should be for Protect Tahoe to present to the full Governing Board. We would like an opportunity to answer more

questions, and we will bring our experts. Many questions were not fully answered, and other questions that need to be asked and answered.

Our bioregional model extends from Lassen to El Dorado, with the Lake Tahoe Basin at its heart of it. One benefit of this model is that it can establish boundaries for funding from federal sources, both states, and private sources. We do not have wildfire and forest health problems because we lack glyphosate or conventional herbicides as a tool. The issue is much more complex than that. It is not the deciding factor, nor a necessary tool. It is a tool with a risk and there are many alternative approaches that have not yet been discussed. As others have noted, funding is a significant issue. Creating a model is one of the best ways to address it, and there is no better place than this bioregion and basin to establish a model for the nation.

We want TRPA to change its Code and ordinances to prohibit conventional herbicides. Even your aquatic experiments suggest that the direction should be toward not using them. We can take a stand here and become a national model while finding ways to fund the work needed by the Forest Service, private landowners, and other entities. We ask that you place Protect Tahoe on the November 18 Governing Board agenda for a full presentation and question-and-answer session. I think an initial environmental checklist may be sufficient instead of an EIR, but whatever process is required, let's undertake it and move forward.

Melissa Soderston, South Lake Tahoe resident, said that banning synthetic herbicides in the Lake Tahoe Basin should be a nonpartisan, obvious decision. I don't think anyone is questioning that. The fact that you still have not shown good faith by putting this issue on the agenda is very disappointing. We need equal representation. It is unfair to allow the Forest Service to present to the board while not allowing an independent scientific panel to do the same. The board should not listen only to its staff. You are also supposed to listen to the community and independent outside sources. Please do your research. Logging is not the answer. All you are doing is giving people a false sense of security.

People are not doing their defensible-space work in town because they believe forest logging projects will protect them. Julie Regan lied, although, not intentional, she believes the lies. But prior thinning and forest treatments are not what saved Christmas Valley. Our firefighters, who were positioned nearly one per house, saved it. If you read the Cal Fire incident reports from that entire week, you can see that they state the only reason Christmas Valley was saved was that the wind and weather shifted that day. If that had not happened, no amount of logging would have stopped the fire. It is unconscionable that you continue to push these nonsensical agendas.

You and I will not pay the price for what we are doing now, but my children will. There is no life left in these thinned areas. Caldor fire is what these forests need, it is recovering beautifully. There should be no work necessary out there. All you are doing is taking grant money and passing it back and forth between agencies. If I don't see an independent scientist presenting to this board, lawsuits will be filed because we do not want herbicides in our basin. Tahoe should be setting the precedent. If we ban herbicides here, the Forest Service will not be able to use them anywhere. But while we wait until 2028, they are using them throughout California. So what is the point? Do some research and read something that doesn't come from your agency or the Forest Service.

Alan Miller submitted written comments on Glyphosate and the Golden Mussels. We heard comments on glyphosate at TRPA's August meeting. There was a large turnout, with very few

people supporting herbicide use other than TRPA and the U.S. Forest Service. I support what Board Member Bass said. At the August meeting, we heard staff misrepresenting their authority to the Governing Board. We also saw the U.S. Forest Service given substantial time to make its case for herbicide applications, without disclosure by TRPA or Ashley Sibr who is also a voting member of the TRPA Advisory Planning Commission. We didn't hear that you were going to bring it to the Governing Board, with either a ban or a permit required.

My comments criticized the U.S. Environmental Protection Agency and U.S. Forest Service for being presented as sources of gold-medal science. The U.S. Geological Survey recently reported 67 detections in 70 sampled streams in the nation. It is also in all human bodies. I am not aware that Lake Tahoe has ever been tested for Glyphosate.

We have pesticide drift in the air from large-scale agriculture in the Central Valley, and now the U.S. Forest Service is applying Glyphosate near Lake Tahoe, in the Caldor area. I suspect Lake Tahoe may already be contaminated with Glyphosate, and testing should be conducted before any further use is allowed. We could face another unpleasant surprise like the reports of microplastics in 2023, when extraordinarily high levels were found unexpectedly.

Regarding the Golden Mussel, this is probably the most important issue currently facing our lake. If the Golden Mussel arrives, everything that has been done to date could be undone. I am putting TRPA on notice that I do not believe you can stop the Golden Mussel with the Clean, Drain, Dry program. If the Golden Mussel appears while boats from outside the basin are still being allowed into the lake, TRPA will be responsible. Immediate action is needed to prevent boats outside the basin from entering. We should not sacrifice the lake and its millions of visitors for a handful of boaters from outside the basin who can go elsewhere.

13. ADJOURNMENT

Mr. Tolbert made a motion to adjourn.

Ms. Williamson adjourned the meeting at 12:29 p.m.

Respectfully Submitted,



Marja Ambler
Clerk to the Board

The above meeting was recorded in its entirety. Anyone wishing to listen to the recording of the above-mentioned meeting may find it at <https://www.trpa.gov/meeting-materials/>. In addition, written documents submitted at the meeting are available for review. If you require assistance. The initial draft of these minutes was generated with the assistance of artificial intelligence tools using the official meeting recording and transcript. The draft was reviewed and edited by TRPA staff for accuracy and completeness prior to approval.

STAFF REPORT

Date: October 21, 2026

To: TRPA Governing Board

From: TRPA Staff

Subject: September Financial Statements, Fiscal Year 2027 (FY 2027)

Summary and Staff Recommendation:

As of September 30, 2026, 3 months, or 25 percent of the fiscal year, were complete. Appropriations from both states have been invoiced and received. Planning fees are on pace with the prior year and the budget. Expenses are as expected, driven primarily by staff compensation and contracts. Staff recommends acceptance of the September 2026 Financial Statements for FY 2027.

Required Motion:

In order to accept the September 2026 Financial Statements, the Board must make the following motion, based on the staff report:

- 1) A motion to accept the September 2026 Financial Statements

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

Fiscal Year-to-Date Revenues and Expenses

Through September, the agency recognized \$9.7 million in revenue, representing 27 percent of the budget. Revenue was primarily driven by \$8.0 million in state appropriations. \$1.2 million in fee revenue was recognized. Fee revenue was driven by Planning fees, which account for \$0.6 million and are at 22 percent of the budget. \$0.2 million in other rent revenue and interest income are on plan for the fiscal year to date.

The agency incurred expenses of \$3.5 million, representing 9 percent of the budget, through September. \$2.3 million of Compensation is on track at 21 percent of the budget. Contracts and other costs of \$1.0 million are ramping as the Agency completes the first quarter of the work plan.

Through September the agency received \$0.8 million in mitigation fees and made \$0.1 million in mitigation disbursements.

Tahoe Regional Planning Agency

Fiscal YTD September 2026

Revenue	State & Local	Fees	Grants	Total
Fees for Service	6,690	1,231,005	0	1,237,695
Grants	0	27,255	35,400	62,655
State Revenue	7,968,000	0	0	7,968,000
Local Revenue	0	0	0	0
Rent Revenue	0	94,670	0	94,670
Other Revenue	117,409	5,390	0	122,799
Revenue Total	8,092,099	1,530,565	35,400	9,658,065
Expenses				
Compensation	1,356,964	518,999	378,852	2,254,815
Contracts	248,790	181,656	305,349	735,795
Financing	0	28,709	0	28,709
Other	178,177	98,801	7,479	284,457
Admin & Overhead	(385,960)	249,031	131,650	(5,280)
Expenses Total	1,574,990	1,084,489	823,331	3,482,809
Net				
	6,517,110	446,076	(787,930)	6,175,256

Balance Sheet

As of September 30, 2026, the agency's net position is \$32.8 million, with \$26.0 million of cash and investments being held in trust.

Tahoe Regional Planning Agency

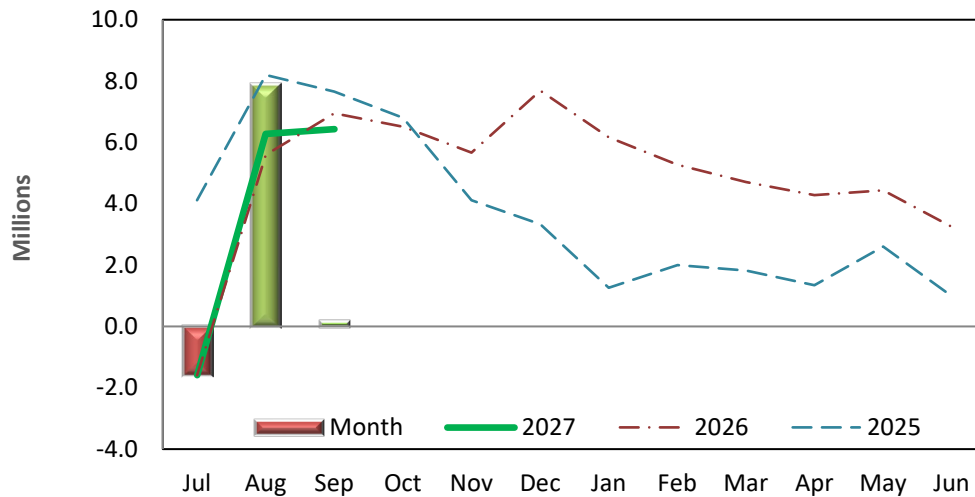
Balance Sheet @ 9/30/2026

	TRPA	Grants	Trust	Total
Cash & Invest	14,257,185	11,694,759	27,020,321	52,972,265
A/R	236,623	105,089	19,457	361,169
Current Assets	230,926	0	0	230,926
LT Assets	8,128,621	0	0	8,128,621
Total Assets	22,853,356	11,799,847	27,039,778	61,692,981
				0
A/P	29,724	36,692	0	66,416
Benefits	1,196,473	0	0	1,196,473
Deferred Rev	12,427	8,351,182	0	8,363,608
Deposits	178,101	2,845	0	180,946
LT Debt	7,240,000	0	0	7,240,000
Mitigation	0	0	2,861,308	2,861,308
Securities	0	0	8,957,673	8,957,673
Total Liabilities	8,656,726	8,390,718	11,818,981	28,866,424
Net Position	14,196,630	3,409,129	15,220,797	32,826,556

Cash Flow

In September, the agency received \$1.8 million in receipts, driven by fees and \$0.4 million in grant invoice receipts. This was offset by \$1.7 million in payroll and contract disbursements. \$6.4 million in cash has been generated fiscal year-to-date through September, which will be spent throughout the remainder of the fiscal year.

Monthly/Cumulative Cash Flow



Contact Information:

For questions regarding this agenda item, please contact Chad Cox, Chief Financial and Administration Officer, at (775) 589-5222 or ccox@trpa.gov.

Submitting Public Comment:

- Please submit written comments by 3 p.m. the day before the meeting.
- You may email comments to publiccomment@trpa.gov. Include meeting details and agenda item in the subject line or write "General Comment" for non-agenda items.
- You may also send by mail, fax to (775) 588-4527, or drop off in person at 128 Market Street.

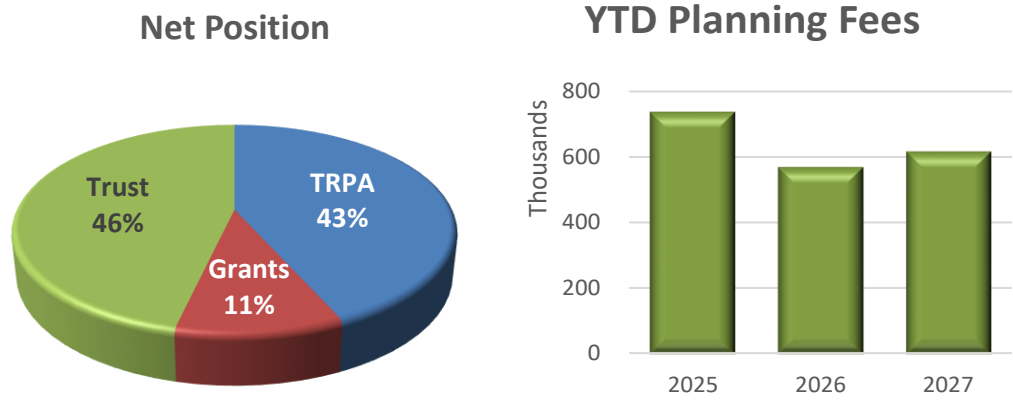
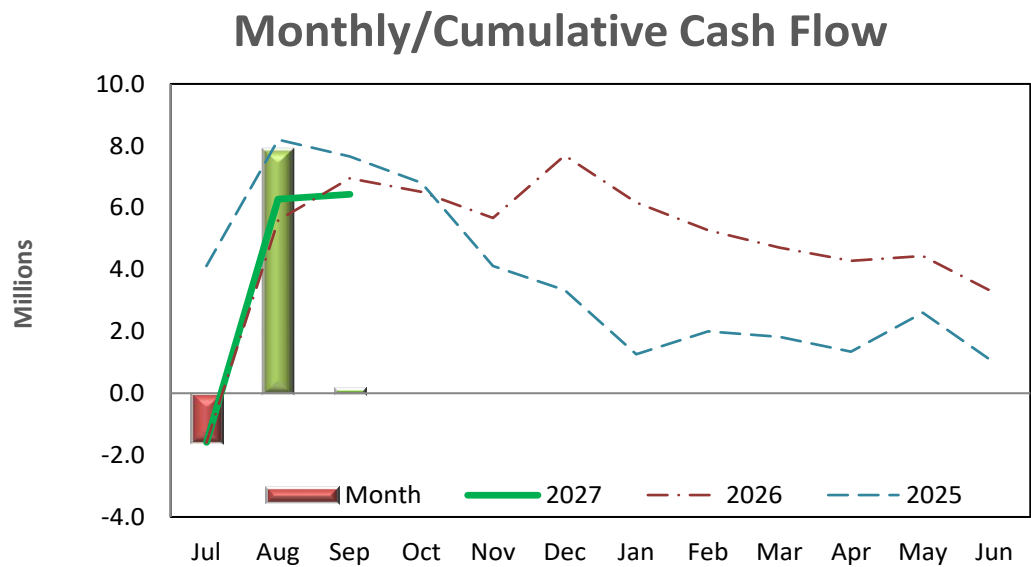
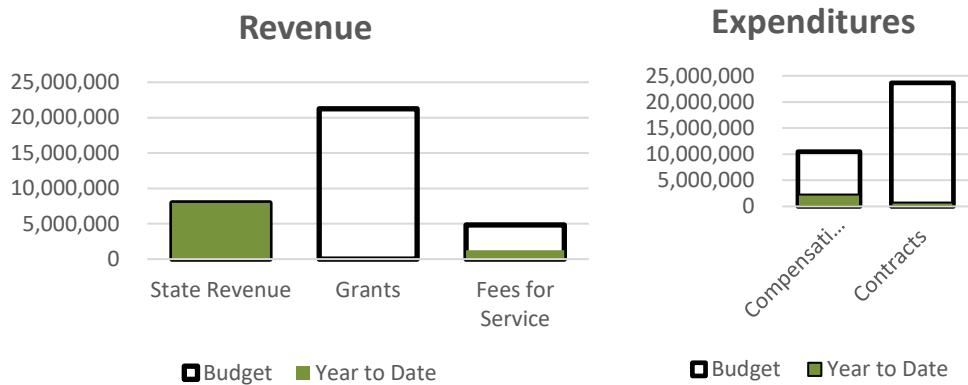
Attachment:

A. September 2026 Financial Statements

Attachment A

September Financial Statements

Tahoe Regional Planning Agency
Fiscal YTD September 2026



TRPA Current Planning Fees

2027 Fiscal Year-to-Date

	FY 2024	FY 2025	FY 2026	FY 2027	This year vs. Avg. Last 3
RESIDENTIAL	76,485	148,362	94,246	120,194	13,830
ENFORCEMNT	10,101	65,958	5,911	62,970	35,646
SHOREZONE	42,148	53,282	50,603	62,559	13,882
OTHER_REV	79,370	59,000	99,500	49,900	(29,390)
REVISIONS	35,305	81,197	44,181	45,566	(7,995)
GENERAL	22,004	59,859	21,023	37,962	3,666
TREE_RMVL	38,678	39,474	39,074	34,853	(4,222)
SECURITIES	31,307	30,304	29,494	31,136	768
ALLOCATION	34,269	32,056	27,579	25,227	(6,074)
LAND_CHALL	25,656	14,880	32,572	22,280	(2,089)
FULL_SITE	27,542	29,704	18,589	21,867	(3,412)
COMMERCL_TA	30,185	18,022	22,156	15,800	(7,654)
RECR_PUBLIC	33,407	23,004	13,910	13,472	(9,968)
SOILS_HYDRO	9,424	11,628	9,388	9,030	(1,117)
QUAL_EXEMPT	3,089	6,409	8,588	7,922	1,894
IPES	11,990	13,453	3,318	6,848	(2,739)
STD2	2,361	408	3,549	5,353	3,247
LAND_CAP	11,775	5,443	6,860	4,956	(3,070)
VB_COVERAGE	7,821	3,999	3,286	4,820	(216)
MOORING	6,693	8,053	4,612	4,779	(1,674)
PRE-APP	2,565	2,665	3,198	4,488	1,679
SUBDIV_EXIST	2,999		1,687	3,987	1,644
TRANS_DEV	2,502	1,734	3,540	3,596	1,004
LLADJ_ROW	3,020	6,602	3,536	3,306	(1,080)
QE SHOREZONE	2,178	1,885	1,925	3,176	1,180
PARTIAL_SITE	1,642		3,129	1,640	(746)
GRADING	2,121	7,382	3,714	1,638	(2,767)
VB_USE	5,892	6,821	3,967	1,569	(3,991)
HISTORIC	0	0	0	1,420	1,420
TEMP_USE	3,252	0	0	1,131	47
CONSTR_EXT	1,582	2,376	1,485	1,020	(794)
NOTE_APPEAL	0	0	0	638	638
UNDRGRD_TANK	0	3,301	1,014	523	(915)
MONITORING	0	146	0	149	100
Totals	578,991	735,816	566,671	615,517	(13,250)

This month vs. last year	108.6%
this month vs. prior 3-year average	98.1%

Tahoe Regional Planning Agency
Actuals vs. Budget by Program
Fiscal YTD September 2026

TRPA Totals*	Ann Budget	YTD	Remaining	% Spent
Revenue				
State Revenue	7,968,000	7,968,000	0	100%
Grants	21,256,345	62,655	21,193,689	0%
Fees for Service	4,816,719	1,237,695	3,579,023	26%
Local Revenue	150,000	0	150,000	0%
Rent Revenue	365,629	94,670	270,959	26%
TRPA Rent Revenue	688,980	172,245	516,735	25%
Other Revenue	1,082,691	122,799	959,892	11%
Revenue Total	36,328,363	9,658,065	26,670,298	27%
Expenses				
Compensation	10,510,679	2,254,815	8,255,864	21%
Contracts	23,652,992	735,795	22,917,196	3%
Financing	639,269	28,709	610,561	4%
Rent	759,381	184,313	575,068	24%
Other	1,348,775	284,457	1,064,317	21%
Admin & Overhead	(27,428)	(5,280)	(22,148)	19%
Expenses Total	36,883,668	3,482,809	33,400,859	9%
TRPA Net	(555,305)	6,175,256	(6,730,560)	

**excluding Mitigations*

Agency Mgmt	Ann Budget	YTD	Remaining	% Spent
Revenue				
Fees for Service	0	6,690	(6,690)	
Grants	64,000	26,355	37,645	41%
State Revenue	7,094,000	7,094,000	0	100%
Other Revenue	1,082,691	117,409	965,282	11%
Local Revenue	150,000	0	150,000	0%
Revenue Total	8,390,691	7,244,454	1,146,237	86%
Expenses				
Compensation	3,150,512	745,451	2,405,061	24%
Contracts	270,478	30,100	240,377	11%
Financing	232	0	232	0%
Rent	4,433	1,375	3,058	31%
Other	393,920	66,567	327,353	17%
Expenses Total	3,819,575	843,493	2,976,082	22%
Agency Mgmt Net	4,571,116	6,400,961	(1,829,845)	

Tahoe Regional Planning Agency
Actuals vs. Budget by Program
Fiscal YTD September 2026

Permitting & Compliance	Ann Budget	YTD	Remaining	% Spent
Revenue				
Fees for Service	4,062,927	805,103	3,257,824	20%
Grants	3,600	900	2,700	25%
State Revenue	124,000	124,000	0	100%
Other Revenue	0	5,387	(5,387)	
Revenue Total	4,190,527	935,390	3,255,137	22%
Expenses				
Compensation	2,568,816	558,715	2,010,101	22%
Contracts	1,260,000	176,149	1,083,851	14%
Financing	71,529	18,054	53,475	25%
Other	118,699	21,637	97,062	18%
Admin & Overhead	1,168,512	243,252	925,260	21%
Expenses Total	5,187,556	1,017,807	4,169,749	20%

Permitting & Compliance Net	(997,029)	(82,417)	(914,612)
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Envir. Imp.	Ann Budget	YTD	Remaining	% Spent
Revenue				
Fees for Service	753,792	425,903	327,889	57%
Grants	12,688,095	0	12,688,095	0%
State Revenue	750,000	750,000	0	100%
Revenue Total	14,191,887	1,175,903	13,015,985	8%
Expenses				
Compensation	1,365,152	288,582	1,076,570	21%
Contracts	13,209,686	254,543	12,955,144	2%
Financing	19,000	10,655	8,345	56%
Rent	49,250	10,693	38,557	22%
Other	70,441	24,236	46,205	34%
Admin & Overhead	183,922	44,133	139,789	24%
Expenses Total	14,897,451	632,841	14,264,610	4%

Envir. Improvement Net	(705,564)	543,061	(1,248,625)
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Tahoe Regional Planning Agency
Actuals vs. Budget by Program
Fiscal YTD September 2026

Regional Planning	Ann Budget	YTD	Remaining	% Spent
Revenue				
Grants	8,048,585	35,400	8,013,185	0%
Fees for Service	0	0	0	
Other Revenue	0	0	0	
Revenue Total	8,048,585	35,400	8,013,185	0%
Expenses				
Compensation	2,084,316	398,248	1,686,068	19%
Contracts	6,674,166	127,433	6,546,733	2%
Rent	3,200	0	3,200	0%
Other	90,429	20,504	69,925	23%
Admin & Overhead	467,464	93,295	374,168	20%
Expenses Total	9,319,574	639,480	8,680,094	7%
Regional Planning Net	(1,270,989)	(604,080)	(666,909)	

Science & Data and R&A	Ann Budget	YTD	Remaining	% Spent
Revenue				
Grants	452,064	0	452,064	0%
State Revenue	0	0	0	
Revenue Total	452,064	0	452,064	0%
Expenses				
Compensation	1,183,554	240,895	942,659	20%
Contracts	1,838,946	90,594	1,748,352	5%
Other	54,655	7,853	46,802	14%
Admin & Overhead	4,323	732	3,591	
Expenses Total	3,081,477	340,073	2,741,404	11%
Science & Data and R&A Net	(2,629,413)	(340,073)	(2,289,340)	

Tahoe Regional Planning Agency
Actuals vs. Budget by Program
Fiscal YTD September 2026

	Ann Budget	YTD	Remaining	
Infrastructure				
Revenue				
Other Revenue	0	3	(3)	
Rent Revenue	365,629	94,670	270,959	26%
Revenue Total	1,054,609	266,918	787,691	25%
Expenses				
Compensation	107,879	22,926	84,953	21%
Contracts	399,715	56,976	342,739	14%
Financing	548,509	0	548,509	0%
Other	620,631	143,661	476,970	23%
Expenses Total	2,365,714	395,808	1,969,907	17%

Infrastructure Net	(1,311,106)	(128,890)
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Other

Expenses				
Admin & Overhead	(1,851,649)	(386,693)	(1,464,956)	40%
Expenses Total	(1,851,649)	(386,693)	(1,464,956)	

Tahoe Regional Planning Agency
General Fund Actuals vs. Budget by Department
Fiscal YTD September 2026

Row Labels	Ann Budget	YTD	Remaining	Percent Spent
Agency Mgmt				
GF Revenue				
Revenue				
Fees for Service	-	(6,690)	6,690	
State Revenue	(7,094,000)	(7,094,000)	0	100.0%
Local Revenue	(150,000)	0	(150,000)	0.0%
Other Revenue	(1,082,691)	(117,409)	(965,282)	10.8%
Revenue Total	(8,326,691)	(7,218,099)	(1,108,592)	86.7%
GF Revenue Total	(8,326,691)	(7,218,099)	(1,108,592)	86.7%
Gov Board				
Expenses				
Other	39,510	3,539	35,971	9.0%
Rent	4,286	0	4,286	0.0%
Expenses Total	43,795	3,539	40,256	8.1%
Gov Board Total	43,795	3,539	40,256	8.1%
Executive				
Expenses				
Compensation	1,232,020	338,670	893,350	27.5%
Other	48,164	2,762	45,401	5.7%
Expenses Total	1,280,184	341,432	938,751	26.7%
Executive Total	1,280,184	341,432	938,751	26.7%
Legal				
Expenses				
Compensation	598,961	122,463	476,498	20.4%
Contracts	85,000	375	84,625	0.4%
Other	35,066	4,254	30,813	12.1%
Expenses Total	719,027	127,092	591,935	17.7%
Legal Total	719,027	127,092	591,935	17.7%
Communications				
Expenses				
Compensation	419,020	91,947	327,073	21.9%
Contracts	65,000	5,000	60,000	7.7%

Tahoe Regional Planning Agency
General Fund Actuals vs. Budget by Department
Fiscal YTD September 2026

Row Labels	Ann Budget	YTD	Remaining	Percent Spent
Other	85,640	10,578	75,062	12.4%
Rent	147	1,375	(1,228)	932.6%
Expenses Total	569,808	108,900	460,907	19.1%
Communications Total	569,808	108,900	460,907	19.1%
Finance				
Expenses				
Compensation	588,770	134,154	454,616	22.8%
Contracts	68,478	8,735	59,743	12.8%
Other	8,201	321	7,880	3.9%
Expenses Total	665,448	143,210	522,238	21.5%
Finance Total	665,448	143,210	522,238	21.5%
HR				
Expenses				
Compensation	311,742	58,217	253,525	18.7%
Contracts	52,000	14,890	37,110	28.6%
Other	72,340	5,993	66,347	8.3%
Expenses Total	436,082	79,100	356,982	18.1%
HR Total	436,082	79,100	356,982	18.1%
Agency Mgmt Total	(4,612,348)	(6,414,826)	1,802,478	139.1%
Permitting & Compliance				
Current Planning				
Revenue				
Fees for Service	(2,958,871)	(651,510)	(2,307,361)	22.0%
Financing	-	(210)	210	#DIV/0!
Other Revenue	-	(0)	0	
Revenue Total	(2,958,871)	(651,720)	(2,307,151)	22.0%
Expenses				
Compensation	1,847,914	368,756	1,479,158	20.0%
Financing	60,396	18,135	42,261	30.0%
Contracts	420,000	45,818	374,182	10.9%
Other	11,286	0	11,286	0.0%
Admin & Overhead	870,552	180,211	690,341	20.7%

Tahoe Regional Planning Agency
General Fund Actuals vs. Budget by Department
Fiscal YTD September 2026

Row Labels	Ann Budget	YTD	Remaining	Percent Spent
Expenses Total	3,210,148	612,920	2,597,228	19.1%
Current Planning Total	251,277	(38,800)	290,077	-15.4%
Current Planning Reimbursed				
Revenue				
Fees for Service	(550,000)	(133,570)	(416,430)	24.3%
Revenue Total	(550,000)	(133,570)	(416,430)	24.3%
Expenses				
Contracts	550,000	98,305	451,695	17.9%
Expenses Total	550,000	98,305	451,695	17.9%
Current Planning Reimbursed Total	-	(35,265)	35,265	
Code Enforcement				
Expenses				
Compensation	480,803	120,437	360,366	25.0%
Other	3,371	592	2,779	17.6%
Admin & Overhead	226,506	58,858	167,649	26.0%
Expenses Total	710,680	179,887	530,793	25.3%
Code Enforcement Total	710,680	179,887	530,793	25.3%
Boat Crew				
Revenue				
State Revenue	(124,000)	(124,000)	0	100.0%
Revenue Total	(124,000)	(124,000)	0	100.0%
Expenses				
Compensation	88,424	60,962	27,462	68.9%
Contracts	10,000	0	10,000	0.0%
Other	74,867	14,591	60,276	19.5%
Rent	4,823	0	4,823	0.0%
Expenses Total	178,114	75,553	102,561	42.4%
Boat Crew Total	54,114	(48,447)	102,561	-89.5%
Settlements				
Revenue				

Tahoe Regional Planning Agency
General Fund Actuals vs. Budget by Department
Fiscal YTD September 2026

Row Labels	Ann Budget	YTD	Remaining	Percent Spent
Fees for Service	(175,000)	(6,667)	(168,333)	3.8%
Grants	(3,600)	(900)	(2,700)	25.0%
Revenue Total	(178,600)	(7,567)	(171,033)	4.2%
Expenses				
Contracts	160,000	30,500	129,500	19.1%
Other	4,316	4,121	195	95.5%
Expenses Total	164,316	34,621	129,695	21.1%
Settlements Total	(14,284)	27,054	(41,338)	-189.4%
Shoreline				
Revenue				
Fees for Service	(379,056)	(344)	(378,712)	0.1%
Other Revenue	-	(5,387)	5,387	
Revenue Total	(379,056)	(5,731)	(373,325)	1.5%
Expenses				
Compensation	151,674	8,560	143,115	5.6%
Financing	11,133	129	11,004	1.2%
Contracts	120,000	1,527	118,473	1.3%
Other	24,859	2,333	22,526	9.4%
Rent	8,695	0	8,695	0.0%
Admin & Overhead	71,454	4,183	67,271	5.9%
Expenses Total	387,816	16,732	371,084	4.3%
Shoreline Total	8,760	11,001	(2,241)	125.6%
Legal - Direct or Disallowed				
Revenue				
Fees for Service	-	(2,565)	2,565	
Revenue Total	-	(2,565)	2,565	
Expenses				
Fees for Service	-	(10,448)	10,448	
Expenses Total	-	(10,448)	10,448	
Legal - Direct or Disallowed Total	-	(13,013)	13,013	#DIV/0!
Permitting & Compliance Total	1,010,547	82,417	928,130	8.2%

Tahoe Regional Planning Agency
General Fund Actuals vs. Budget by Department
Fiscal YTD September 2026

Row Labels	Ann Budget	YTD	Remaining	Percent Spent
Envir. Imp.				
Env. Improv.				
Revenue				
State Revenue	-	(375,000)	375,000	
Revenue Total	-	(375,000)	375,000	
Expenses				
Compensation	684,466	124,849	559,617	18.2%
Contracts	92,343	1,941	90,402	2.1%
Other	17,950	5,196	12,754	28.9%
Rent	2,500	0	2,500	0.0%
Expenses Total	797,259	131,986	665,273	16.6%
Env. Improv. Total	797,259	(243,014)	1,040,273	-30.5%
Stormwater Planning Support				
Revenue				
Fees for Service	(73,000)	(14,407)	(58,593)	19.7%
Revenue Total	(73,000)	(14,407)	(58,593)	19.7%
Expenses				
Compensation	-	11,825	(11,825)	
Admin & Overhead	-	5,779	(5,779)	
Expenses Total	-	17,604	(17,604)	
Stormwater Planning Support Total	(73,000)	3,197	(76,197)	-4.4%
Envir. Imp. Total	724,259	(239,817)	964,076	
Regional Planning				
TMPO				
Expenses				
Compensation	124,407	10,746	113,661	8.6%
Contracts	87,311	17,416	69,895	19.9%
Other	31,362	17,041	14,320	54.3%
Expenses Total	243,079	45,203	197,877	18.6%
TMPO Total	243,079	45,203	197,877	18.6%

Tahoe Regional Planning Agency
General Fund Actuals vs. Budget by Department
Fiscal YTD September 2026

Row Labels	Ann Budget	YTD	Remaining	Percent Spent
Long Range Planning				
Expenses				
Compensation	531,593	97,818	433,775	18.4%
Contracts	482,449	0	482,449	0.0%
Other	13,668	340	13,328	2.5%
Rent	200	0	200	0.0%
Expenses Total	1,027,910	98,158	929,752	9.5%
Long Range Planning Total	1,027,910	98,158	929,752	9.5%
Regional Planning Total	1,270,989	143,361	1,127,629	11.3%
Science & Data and R&A				
Data Science and R&A				
Expenses				
Compensation	1,174,377	239,396	934,981	20.4%
Contracts	1,403,824	70,369	1,333,455	5.0%
Other	51,212	7,700	43,511	15.0%
Expenses Total	2,629,413	317,466	2,311,947	12.1%
Data Science and R&A Total	2,629,413	317,466	2,311,947	12.1%
Science & Data and R&A Total	2,629,413	317,466	2,311,947	12.1%
Infrastructure				
General Services				
Expenses				
Compensation	107,879	22,926	84,953	21.3%
Contracts	7,900	183	7,717	2.3%
Other	144,023	21,275	122,748	14.8%
Rent	688,980	172,245	516,735	25.0%
Expenses Total	948,782	216,629	732,154	22.8%
General Services Total	948,782	216,629	732,154	22.8%
IT				
Expenses				
Contracts	262,515	52,386	210,129	20.0%
Other	238,254	84,283	153,971	35.4%
Expenses Total	500,770	136,669	364,101	27.3%

Tahoe Regional Planning Agency
General Fund Actuals vs. Budget by Department
Fiscal YTD September 2026

Row Labels	Ann Budget	YTD	Remaining	Percent Spent
IT Total	500,770	136,669	364,101	27.3%
Building				
Revenue				
Other Revenue	-	(3)	3	
Rent Revenue	(365,629)	(94,670)	(270,959)	25.9%
TRPA Rent Revenue	(688,980)	(172,245)	(516,735)	25.0%
Revenue Total	(1,054,609)	(266,918)	(787,691)	25.3%
Expenses				
Financing	548,509	0	548,509	0.0%
Contracts	129,300	4,407	124,893	3.4%
Other	48,071	3,044	45,027	6.3%
Expenses Total	725,880	7,451	718,428	1.0%
Building Total	(328,729)	(259,466)	(69,263)	78.9%
CAM				
Expenses				
Other	190,283	35,059	155,224	18.4%
Expenses Total	190,283	35,059	155,224	18.4%
CAM Total	190,283	35,059	155,224	18.4%
Infrastructure Total	1,311,106	128,890	1,182,215	9.8%
Other				
Other				
Expenses				
Compensation	50,451	0	50,451	0.0%
Admin & Overhead	(1,851,649)	(386,693)	(1,464,956)	20.9%
Expenses Total	(1,801,198)	(386,693)	(1,414,505)	21.5%
Other Total	(1,801,198)	(386,693)	(1,414,505)	21.5%
Other Total	(1,801,198)	(386,693)	(1,414,505)	21.5%

STAFF REPORT

Date: October 21, 2026

To: TRPA Governing Board

From: TRPA Staff

Subject: Resolutions Amending the Application Fee Schedule, Mobility Mitigation Fee, & Rental Vehicle Mitigation Fee

Summary and Staff Recommendation:

Staff recommends that the Governing Board adopt the attached Resolution 2026-__ (Attachment A) to adjust the Tahoe Regional Planning Agency (TRPA) filing fee schedule for inflation. This action will increase the TRPA filing fee schedule by 3.2 percent and the Mobility Mitigation Fee by 3.2 percent. The fee adjustments will take effect on Tuesday, January 19, 2027.

Additionally, staff recommends that the Governing Board adopt the attached Resolution 2026-__ (Attachment B) to adjust the TRPA Rental Vehicle Mitigation Fee (RVMF) for inflation. This action will increase the Rental Vehicle Mitigation Fee to \$6.53 per day. The adjustments will take effect on Friday, January 1, 2027.

Required Motions:

In order to amend the fee schedule and the above-referenced mitigation fees, the Board must make the following motions, based on the staff report:

- 1) A motion to approve the attached Resolution 2026-__, as shown in Attachment A, and its Exhibit 1, amending the TRPA application filing fee schedule and Mobility Mitigation Fee.
- 2) A motion to approve the attached Resolution 2026-__, as shown in Attachment B, amending the Rental Vehicle Mitigation Fee.

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

Proposed changes:**Planning Fees**

TRPA proposes a 3.2 percent inflation adjustment to the filing fees outlined in Exhibit 1, Attachment A. The TRPA Governing Board has approved filing fee schedule increases annually since 2018 pursuant to its policy of adjusting the filing fee schedule based on the Consumer Price Index (CPI). The filing fee increase is based on the Western Region CPI. The Western Region CPI is referenced by the Nevada Revised Statutes (NRS) for inflation adjustments to local building permit fees. While TRPA is not required to follow NRS for fee adjustments, it serves as guidance that is consistent with TRPA's approach to fee amendments.

This year, a 3.2 percent increase is proposed. The present level of filing fees does not cover the costs of the Permitting and Compliance Department. A projected increase was included in TRPA's 2027 fiscal year budget. The filing fee schedule adjustments will be effective on Tuesday, January 19, 2027. All adjustments to the filing fee schedule will be rounded to the nearest dollar, except for the price per square foot amounts, which are rounded to the nearest cent. Application fees will continue to be waived for affordable housing projects that include bonus units.

Mobility Mitigation Fees

Section 65.2.4.D of the TRPA Code of Ordinances calls for updating the Mobility Mitigation Fee consistent with Article 16 of the Rules of Procedure, which calls for updating fees annually based on the Western Region CPI. Again, this fee is proposed for a 3.2 percent increase in line with Western Region inflation.

Rental Vehicle Mitigation Fee

TRPA proposes to increase the Rental Vehicle Mitigation Fee from \$6.33 per day to \$6.53 per day to account for inflation. Article 16.2 of TRPA's Rules of Procedure calls for this mitigation fee to be increased annually, consistent with other fee schedule items, based on the Western Region CPI.

Rental Vehicle Mitigation Fees are passed on to the Tahoe Transportation District (TTD) to support TTD's operations in the basin. The Rental Vehicle Mitigation Fees can be found in TRPA Code of Ordinances Chapter 65.4.

Contact Information:

For questions regarding this agenda item, please contact Chad Cox, CFAO, at (775) 589-5222, ccox@trpa.gov, or Aly Borawski, Principal Planner, at (775) 589-5229, aborawski@trpa.gov.

Submitting Public Comment:

- Please submit written comments by 3 p.m. the day before the meeting.
- You may email comments to publiccomment@trpa.gov. Include meeting details and agenda item in the subject line or write "General Comment" for non-agenda items.
- You may also send by mail, fax to (775) 588-4527, or drop off in person at 128 Market Street.

Attachments:

- A. Resolution 2026-__ Revising the Application Filing Fee Schedule & Mobility Mitigation Fee
Exhibit 1 to Attachment A Fee Schedule
- B. Resolution 2026-__ Revising the Rental Vehicle Mitigation Fee

Attachment A

Resolution Revising the Application Filing Fee Schedule & Mobility Mitigation Fee

TAHOE REGIONAL PLANNING AGENCY
TRPA RESOLUTION NO. 2026 –

RESOLUTION OF ANNUAL ADJUSTMENT TO THE TAHOE REGIONAL PLANNING AGENCY FILING FEES AND
MOBILITY MITIGATION FEE

WHEREAS, the Tahoe Regional Planning Agency (TRPA) is required under the TRPA Compact, the Regional Plan, and Code of Ordinances to review projects, and reasonable fees must be charged to reimburse TRPA for the costs of such review;

WHEREAS, the filing fees adjusted or created pursuant to this resolution are compensatory, cover the actual cost of providing services in reviewing and processing project applications, bear a direct relationship to the cost of administering TRPA's ordinances, and do not raise revenue in excess of the cost of providing such services;

WHEREAS, the application filing fees will be subject to an annual adjustment each January according to the Consumer Price Index (CPI) from the Bureau of Labor Statistics for the Western Region; and

WHEREAS, the TRPA Code of Ordinances and Rules of Procedure call for updating the Mobility Mitigation Fee for inflation, using the Western Region CPI.

NOW, THEREFORE, BE IT RESOLVED, pursuant to the authority contained in Article VII(e) of the TRPA Compact and Article 5.8 of the TRPA Rules of Procedure, that the fees to be charged and collected for the filing of applications for all projects, activities, and environmental documents to be reviewed or approved by TRPA, or both, and the assessed Mobility Mitigation Fee, shall be in accordance with the schedule set forth in Exhibit 1 to this Resolution, attached hereto and incorporated herein by this reference, and shall become effective January 19, 2027.

PASSED and ADOPTED by the Governing Board of the TRPA this ____ day of _____, 2026, by the following vote:

Ayes:

Nays:

Absent:

Hayley Williamson, Chair
Tahoe Regional Planning Agency
Governing Board

Exhibit 1 to Attachment A

Fee Schedule



Fee Schedule

Effective January 19, 2027

USING THIS SCHEDULE

This document contains all TRPA application filing fees, annual monitoring fees, and mitigation fees. The application filing fees are divided into schedules that represent all **major land use classifications** listed in the TRPA Code of Ordinances. For example, residential application fees are listed in Schedule “A” and commercial fees are listed in Schedule “C.” Every use or activity contained in the schedule is defined in either Chapter 21 or Chapter 81 of the [TRPA Code of Ordinances](#); available online at www.trpa.gov.

INDEX TO SCHEDULES

Fee Multipliers	E Recreation	J General
A Residential	F Resource Management	MOU Monitoring Annual Fees
B Tourist Accommodation	G Shorezone, Primary Uses	Mitigation Fees
C Commercial	H Shorezone, Accessory	Shorezone Mitigation Fees
D Public Service	I IPES, Land Capability	

GENERAL NOTES

Fee caps are the maximum fees that will be charged at application submittal but which may be increased (after submittal) if actual costs can be reasonably and accurately calculated and exceed the fee cap amount. When the words “**deposit account**” follows a listed fee, the application is subject to cost recovery of TRPA’s actual costs associated with processing the application. For these applications, a deposit in the amount specified in the fee schedule must be posted at the time of application submittal. Additional deposits will be required when actual costs reach 90-percent of the deposit amount. Unused deposit amounts above the minimum fee may be refunded to applicants.

Projects located in the **shoreland** area of Lake Tahoe may be subject to shoreland scenic review (and fee) in accordance with Chapter 66 of the TRPA Code. See Chapter 90 of the TRPA Code for the definition of “shoreland”. See Chapter 66 of the TRPA Code for the applicable review level. All applications in this schedule are subject to a non-refundable information technologies (I.T.) surcharge used to maintain and support the TRPA database. This surcharge is due upon application submittal and is in addition to the fees listed in the schedules herein but does not apply to Exempt or Qualified Exempt applications (defined in Chapter 2 of the TRPA Code).

CONSTRUCTION INSPECTION FEES

On larger Commercial, Tourist Accommodation, Public Service, Redevelopment, Resource Management, and Recreation projects where the cost of construction inspection services will exceed the amount included in the base filing fee, an additional construction inspection fee will be charged based on an estimate of the time required.

FEE MULTIPLIERS	
LEVEL OF REVIEW	MULTIPLIERS
Staff Level Review	1.00
Enhanced Staff Level Review Projects with noticing requirements per the TRPA Rules of Procedure that do not require Hearings Officer or Governing Board Review. See TRPA Rules of Procedure Article 12: Notice and TRPA Code of Ordinances Chapter 2.	1.25
Hearings Officer Review Projects subject to Hearings Officer review per TRPA Code of Ordinances Chapter 2.	1.40
Governing Board Review Projects subject to Governing Board review per TRPA Code of Ordinances Chapter 2.	1.80
PLAN REVISIONS	
Minor A non-substantive change to a permitted project. A project that will not cause changes to any TRPA permit conditions, does not require new field review by TRPA staff, does not require a public hearing, and does not involve any modifications to building size, shape, land coverage, location, or scenic rating score.	0.4
Major A substantial change that does not significantly exceed the original scope of the project. Revisions that significantly exceed the original scope of a project, or which require a public hearing, shall be treated as new or modified projects, as the case may be.	0.7
* * SAMPLE CALCULATION * *	
For a project with a base fee of \$1,000, which requires Hearings Officer review, which includes Shoreland Scenic Review Level 4, the Stormwater Fee, and the IT Surcharge:	$\$1,000 \times 1.40 + \$2,174 + \$171 + \$156 = \underline{\$3,901}$

SHORELAND SCENIC REVIEW
TRPA Code of Ordinances Chapter 66: Scenic Quality requires property owners to apply design elements that blend man-made structures with the natural environment. Shoreland Scenic review fees apply to littoral parcels and other parcels within the shoreland as defined in Chapter 90 of the TRPA Code of Ordinances, based on the level of the project as laid out in section 66.3.3 of the TRPA Code of Ordinances. There is no Shoreland Scenic Review fee for Level 1 and 2. The fee for Level 3 and 6 is \$1,088 and the fee for Level 4 and 5 is \$2,174.

Fee Category		Old Base Fee	New Base Fee	Shoreland Scenic Review Fee if applicable* (old \$1054 or \$2107)	Stormwater Fee (old \$166)	IT Surcharge (old \$151)
SCHEDULE "A" - RESIDENTIAL						
NEW CONSTRUCTION (Including tear-down, replacement, or modifications affecting 50-percent or more of an existing structure/facility)						
1.	Single Family Dwelling, Summer Home, Secondary Residence, one Mobile Home Dwelling, and one Employee Housing unit	\$1.71 per sq. ft of floor area covered by roof, \$862 minimum**	\$1.76 per sq. ft of floor area covered by roof, \$890 minimum**	\$1,088 or \$2,174	\$171	\$156
2.	Multiple Family Dwelling, Multiple Person Dwelling, Nursing and Personal Care, Residential Care, more than one Employee Housing unit, more than one Mobile Home Dwelling	\$3,787 + \$69 per unit**	\$3,908 + \$71 per unit**	\$1,088 or \$2,174	\$171	\$156
ADDITIONS AND OTHER CONSTRUCTION MODIFICATIONS TO EXISTING STRUCTURES/FACILITIES						
3.	Single Family Dwelling, Summer Home, Secondary Residence, one Mobile Home Dwelling, and one Employee Housing unit	\$1.89 per sq. ft of modified/new floor area covered by roof, \$662 minimum**	\$1.95 per sq. ft of modified/new floor area covered by roof, \$683 minimum**	\$1,088 or \$2,174	\$171	\$156
4.	Multiple Family Dwelling, Multiple Person Dwelling, Nursing and Personal Care, Residential Care, more than one Employee Housing unit, more than one Mobile Home Dwelling	\$2,067 + \$69 per unit**	\$2,133 + \$71 per unit**	\$1,088 or \$2,174	\$171	\$156
CHANGES OF USE AND OTHER ACTIVITIES						
5.	Domestic Animal Raising	\$360	\$372	N/A	N/A	\$156
6.	On-Site Election of Conversion of Use to Residential (Section 51.9, TRPA Code)	\$603 per unit	\$622 per unit	N/A	N/A	\$156
7.	Change from an Existing Residential Use to Another Residential Use	\$689 per unit	\$711 per unit	N/A	N/A	\$156
8.	Mixed Use Projects	Use new construction fees for each use type	Use new construction fees for each use type	N/A	N/A	\$156
9.	Driveway Paving	\$257	\$265	N/A	N/A	\$156
10.	Other	\$862	\$890	\$1,088 or \$2,174	\$171	\$156
**All application fees listed under numbers 1 - 4 waived with projects that use new affordable, moderate, or achievable housing bonus unit(s). Other fees would still be applicable.						

Fee Category		Old Base Fee	New Base Fee	Shoreland Scenic Review Fee if applicable* (old \$1054 or \$2107)	Stormwater Fee (old \$166)	IT Surcharge (old \$151)
SCHEDULE "B" - TOURIST ACCOMODATION						
NEW CONSTRUCTION (Including tear-down, replacement, or modifications affecting 50-percent or more of an existing structure/facility)						
11.	Hotel, Motel and Other Transient Units, Bed and Breakfast Facilities, Time Sharing (Hotel/Motel Design), and Time Sharing (Residential Design)	\$3,366 + \$62 per unit	\$3,474 + \$64 per unit	\$1,088 or \$2,174	\$171	\$156
ADDITIONS AND OTHER CONSTRUCTION MODIFICATIONS TO EXISTING STRUCTURES/FACILITIES						
12.	Hotel, Motel and Other Transient Units, Bed and Breakfast Facilities, Time Sharing (Hotel/Motel Design), and Time Sharing (Residential Design)	\$2,895 + \$62 per unit	\$2,988 + \$64 per unit	\$1,088 or \$2,174	\$171	\$156
CHANGES OF USE AND OTHER ACTIVITIES						
13.	On-Site Election of Conversion of Use to Tourist Accommodation (Section 50.9, TRPA Code)	\$603 per unit	\$622 per unit	N/A	N/A	\$156
14.	Change from an Existing Tourist Accommodation Use to Another Tourist Accommodation Use	\$603 per unit	\$622 per unit	N/A	N/A	\$156
15.	Mixed Use Projects	Use new construction fees for each use type	Use new construction fees for each use type	N/A	N/A	\$156
16.	Other	\$1,721	\$1,776	\$1,088 or \$2,174	\$171	\$156

Fee Category		Old Base Fee	New Base Fee	Shoreland Scenic Review Fee if applicable* (old \$1054 or \$2107)	Stormwater Fee (old \$166)	IT Surcharge (old \$151)
SCHEDULE "C" - COMMERCIAL						
NEW CONSTRUCTION (Including tear-down, replacement, or modifications affecting 50-percent or more of an existing structure/facility)						
17.	All uses listed under "Commercial" in Section III, Table of Primary Uses, Section 21.4, TRPA Code	\$5.29 per sq. foot	\$5.46 per sq. foot	\$1,088 or \$2,174	\$171	\$156
ADDITIONS AND OTHER CONSTRUCTION MODIFICATIONS TO EXISTING STRUCTURES/FACILITIES						
18.	All uses listed under "Commercial" in Section III, Table of Primary Uses, Section 21.4, TRPA Code	\$5.29 per sq. foot	\$5.46 per sq. foot	\$1,088 or \$2,174	\$171	\$156
CHANGES IN USE AND OTHER ACTIVITIES						
19.	On-Site Election of Conversion of Use to Commercial (Section 50.9, TRPA Code)	\$5.29 per sq. foot	\$5.46 per sq. foot	N/A	N/A	\$156
20.	Change from an Existing Commercial Use to Another Commercial Use	\$5.29 per sq. foot	\$5.46 per sq. foot	N/A	N/A	\$156
21.	Mixed Use Projects	Use new construction fees for each use type	Use new construction fees for each use type	N/A	N/A	\$156
22.	Special Project Allocation	\$3,858	\$3,981	N/A	N/A	\$156
23.	Other	\$1,721	\$1,776	\$1,088 or \$2,174	\$171	\$156

Fee Category		Old Base Fee	New Base Fee	Shoreland Scenic Review Fee if applicable* (old \$1054 or \$2107)	Stormwater Fee (old \$166)	IT Surcharge (old \$151)
SCHEDULE "D" - PUBLIC SERVICE						
NEW CONSTRUCTION (Including tear-down, replacement, or modifications affecting 50-percent or more of an existing structure/facility)						
24.	Airfields, Landing Strips and Heliports, Power Generating, Collection Stations, Public Utility Centers, Local Public Health and Safety Facilities, Regional Public Health and Safety Facilities, Government Offices, Local Post Office, Hospitals	\$3,974 min. fee, deposit account	\$4,101 min. fee, deposit account	\$1,088 or \$2,174	\$171	\$156
25.	Schools – College, Schools – Kindergarten through Secondary, Threshold Related Research Facilities, Local Assembly and Entertainment, Public Owned Assembly and Entertainment	\$3,312 min. fee, deposit account	\$3,418 min. fee, deposit account	\$1,088 or \$2,174	\$171	\$156
25. A.	Day Care Centers/Pre-Schools	\$843	\$870	\$1,088 or \$2,174	\$171	\$156
26.	Membership Organizations, Cemeteries, Churches, Cultural Facilities, Social Service Organizations	\$2,648 min. fee, deposit account	\$2,733 min. fee, deposit account	\$1,088 or \$2,174	\$171	\$156
27.	All Linear Public Facilities Listed in Section IV.B, Table of Primary Uses, Section 21.4, TRPA Code	\$2,385 min. fee, deposit account	\$2,461 min. fee, deposit account	\$1,088 or \$2,174	\$171	\$156
ADDITIONS AND OTHER CONSTRUCTION MODIFICATIONS TO EXISTING STRUCTURES/FACILITIES						
28.	Airfields, Landing Strips and Heliports, etc. (see list above).	\$3,709 min. fee, deposit account	\$3,828 min. fee, deposit account	\$1,088 or \$2,174	\$171	\$156
29.	Schools – College, Schools – Kindergarten through Secondary, Threshold Related Research Facilities, Local Assembly and Entertainment, Public Owned Assembly and Entertainment	\$3,045 min. fee, deposit account	\$3,142	\$1,088 or \$2,174	\$171	\$156
25. A.	Day Care Centers/Pre-Schools	\$843 min. fee, deposit account	\$870	\$1,088 or \$2,174	\$171	\$156
30.	Membership Organizations, etc., (see list above)	\$2,385 min. fee, deposit account	\$2,461 min. fee, deposit account	\$1,088 or \$2,174	\$171	\$156
31.	Linear Public Facilities, etc. (see list above)	\$1,987 min. fee, deposit account	\$2,051 min. fee, deposit account	\$1,088 or \$2,174	\$171	\$156
32.	Conversion of Non-Public Service Use to a Public Service Use	\$1,324 min. fee, deposit account	\$1,366 min. fee, deposit account	N/A	N/A	\$156
33.	Change from an Existing Public Service Use to Another Public Service Use	\$1,324 min. fee, deposit account	\$1,366 min. fee, deposit account	N/A	N/A	\$156
34.	Mixed Use Projects	Use new construction fees for each use type	Use new construction fees for each use type	N/A	N/A	\$156
35.	Other	\$1,324 min. fee, deposit account	\$1,366 min. fee, deposit account	\$1,088 or \$2,174	\$171	\$156

Fee Category		Old Base Fee	New Base Fee	Shoreland Scenic Review Fee if applicable* (old \$1054 or \$2107)	Stormwater Fee (old \$166)	IT Surcharge (old \$151)
SCHEDULE "E" - RECREATION						
NEW CONSTRUCTION (Including tear-down, replacement, or modifications affecting 50-percent or more of an existing structure/facility)						
36.	Outdoor Recreation Concessions, Participant Sports Facilities, Day Use Areas, Rural Sports, Sport Assembly, Recreation Centers, Recreational Vehicle Parks, Developed Campgrounds, Undeveloped Campgrounds, Visitor Information Centers	\$6,623 min. fee, deposit account	\$6,835 min. fee, deposit account	\$1,088 or \$2,174	\$171	\$156
37.	Group Facilities	\$3,312 min. + \$69 per new unit fee, deposit account	\$3,418 min. + \$71 per new unit fee, deposit account	\$1,088 or \$2,174	\$171	\$156
38.	Downhill Ski Facilities, Snowmobile Courses, Off-Road Vehicle Courses, Cross-Country Ski Courses, Golf Courses	\$6,623 min. fee, deposit account	\$6,835 min. fee, deposit account	\$1,088 or \$2,174	\$171	\$156
39.	Beach Recreation, Boat Launching Facilities, Marinas	See Schedule G	See Schedule G	N/A	\$171	\$156
ADDITIONS AND OTHER CONSTRUCTION MODIFICATIONS TO EXISTING STRUCTURES/FACILITIES						
40.	Outdoor Recreation Concessions, Participant Sports Facilities, Day Use Areas, Rural Sports, Sport Assembly, Recreation Centers, Recreational Vehicle Parks, Developed Campgrounds, Undeveloped Campgrounds, Visitor Information Centers	\$5,299 min. fee, deposit account	\$5,469 min. fee, deposit account	\$1,088 or \$2,174	\$171	\$156
41.	Group Facilities	\$1,589 min. + \$69 per modified unit, fee, deposit account	\$1,640 min. + \$71 per modified unit, fee, deposit account	\$1,088 or \$2,174	\$171	\$156
42.	Downhill Ski Facilities, Snowmobile Courses, Off-Road Vehicle Courses, Cross-Country Ski Courses, Golf Courses	\$5,299 min. fee, deposit account	\$5,469 min. fee, deposit account	\$1,088 or \$2,174	\$171	\$156
43.	Beach Recreation, Boat Launching Facilities, Marinas	See Schedule G	See Schedule G	N/A	\$171	\$156
44.	Conversion of Non-Recreation Use to a Recreation Use	\$1,324 min. fee, deposit account	\$1,366 min. fee, deposit account	N/A	N/A	\$156
45.	Change from an Existing Recreation Use to Another Recreation Use	\$1,324 min. fee, deposit account	\$1,366 min. fee, deposit account	N/A	N/A	\$156
46.	Mixed Use Projects	\$1,324 min. fee, deposit account	\$1,366 min. fee, deposit account	N/A	N/A	\$156
47.	Other	\$1,324 min. fee, deposit account	\$1,366 min. fee, deposit account	\$1,088 or \$2,174	\$171	\$156

Fee Category		Old Base Fee	New Base Fee	Shoreland Scenic Review Fee if applicable* (old \$1054 or \$2107)	Stormwater Fee (old \$166)	IT Surcharge (old \$151)
SCHEDULE "F" - RESOURCE MGMT.						
NEW CONSTRUCTION (Including tear-down, replacement, or modifications affecting 50-percent or more of an existing structure/facility)						
48.	All uses listed under "Resource Management" in Section VI, Table of Primary Uses, Section 21.4, TRPA Code	\$2,648 min. fee, deposit account	\$2,733 min. fee, deposit account	\$1,088 or \$2,174	\$171	\$156
49.	Tree Removal	\$91 min. + \$91 per hour	\$94 min. + \$94 per hour	\$1,088 or \$2,174	N/A	N/A
ADDITIONS AND OTHER CONSTRUCTION MODIFICATIONS TO EXISTING STRUCTURES/FACILITIES						
50.	All uses listed under "Resource Management" in Section VI, Table of Primary Uses, Section 21.4, TRPA Code	\$1,987 min. fee, deposit account	\$2,051 min. fee, deposit account	\$1,088 or \$2,174	\$171	\$156
CHANGES IN USE AND OTHER ACTIVITIES						
51.	Conversion of a Non-Recreation Use to a Recreation Use	\$1,324 min. fee, deposit account	\$1,366 min. fee, deposit account	N/A	N/A	\$156
52.	Change from an Existing Recreation Use to Another Recreation Use	\$1,324 min. fee, deposit account	\$1,366 min. fee, deposit account	N/A	N/A	\$156
53.	Other	\$1,324 min. fee, deposit account	\$1,366 min. fee, deposit account	\$1,088 or \$2,174	\$171	\$156

Fee Category		Old Base Fee	New Base Fee	Shoreland Scenic Review Fee if applicable* (old \$1054 or \$2107)	Stormwater Fee (old \$166)	IT Surcharge (old \$151)
SCHEDULE "G" - SHOREZONE, PRIMARY USES (§ 81.4, TRPA CODE)						
NEW ACTIVITIES OR CONSTRUCTION (Including tear-down, replacement, or modifications affecting 50-percent or more of an existing structure/facility)						
54.	Beach Recreation (Dispersed), Water Oriented Recreational (Dispersed) Uses, Scientific Study Uses	\$662 min. fee, deposit account	\$683 min. fee, deposit account	\$1,088 or \$2,174	\$171	\$156
55.	Commercial Boating, Construction Equipment Operation, Construction Equipment Storage, Safety and Navigation, Salvage Operations, Waterborne Transit, Water Oriented Outdoor Recreation Concessions, Environmental Improvement, Water Supply (Intake Line), Water-Oriented Public Service, Water-Oriented Scientific Study, Charter Boat, Water Taxi	\$4,636 min. fee, deposit account	\$4,784 min. fee, deposit account	\$1,088 or \$2,174	\$171	\$156
56.	Boat Launching Facilities, Marinas, Tour Boat Operation, Beach Recreation (Intensive)	\$6,623 min. fee, deposit account	\$6,835 min. fee, deposit account	\$1,088 or \$2,174	\$171	\$156
ADDITIONS AND OTHER MODIFICATIONS TO EXISTING STRUCTURES, FACILITIES, OR ACTIVITIES						
57.	Beach Recreation, Water Oriented Recreational (Dispersed) Uses, Scientific Study Uses	\$529 min. fee, deposit account	\$546 min. fee, deposit account	\$1,088 or \$2,174	\$171	\$156
58.	Commercial Boating, Construction Equipment Operation, Construction Equipment Storage, Safety and Navigation, Salvage Operations, Waterborne Transit, Water Oriented Outdoor Recreation Concessions, Environmental Improvement, Water Supply (Intake Line), Water-Oriented Public Service, Water-Oriented Scientific Study, Charter Boat, Water Taxi	\$3,709 min. fee, deposit account	\$3,828 min. fee, deposit account	\$1,088 or \$2,174	\$171	\$156
59.	Boat Launching Facilities, Marinas, Tour Boat Operation, Beach Recreation (Intensive)	\$5,299 min. fee, deposit account	\$5,469 min. fee, deposit account	\$1,088 or \$2,174	\$171	\$156
60.	Other	\$1,987 min. fee, deposit account	\$2,051 min. fee, deposit account	\$1,088 or \$2,174	\$171	\$156

Fee Category		Old Base Fee	New Base Fee	Shoreland Scenic Review Fee if applicable* (old \$1054 or \$2107)	Stormwater Fee (old \$166)	IT Surcharge (old \$151)
SCHEDULE "H" - SHOREZONE, ACCESSORY USES (§ 81.4, TRPA CODE)						
NEW ACTIVITIES OR CONSTRUCTION (Including tear-down, replacement, or modifications affecting 50-percent or more of an existing structure/facility)						
61.	Fences (below high waterline), Scientific Research Structures, Preliminary Pier Application	\$796 min. fee, deposit account	\$821 min. fee, deposit account	\$1,088 or \$2,174	N/A	\$156
62.A	Buoys, Floating Platforms, and Low-Water Blocks	\$1,581	\$1,632 for each buoy or structure	\$1,088 or \$2,174 (Applies to floating platforms only)	\$171	\$156
62.B	Mooring Lottery Eligibility Review	\$368	\$380	N/A	N/A	N/A
63.	Piers, Water Intake Lines	\$6,623 min. fee, deposit account	\$6,835 min. fee, deposit account	\$1,088 or \$2,174	\$171	\$156
64.	Boat Ramps, Breakwaters or Jetties, Shoreline Protective Structures	\$6,623 min. fee, deposit account	\$6,835 min. fee, deposit account	\$1,088 or \$2,174	\$171	\$156
ADDITIONS AND OTHER MODIFICATIONS TO EXISTING STRUCTURES, FACILITIES, OR ACTIVITIES						
65.	Fences (below high waterline), Scientific Research Structures	\$636 min. fee, deposit account	\$656 min. fee, deposit account	\$1,088 or \$2,174	N/A	\$156
66.	Buoys, Floating Platforms, and Low-Water Blocks	\$1,581	\$1,632 for each buoy or structure	\$1,088 or \$2,174 (Applies to floating platforms only)	\$171	\$156
67.	Piers Modifications (no expansion ^[1]), Water Intake Lines	\$3,312 min. fee, deposit account	\$3,418 min. fee, deposit account	\$1,088 or \$2,174	\$171	\$156
134.	Pier Expansions ^[1]	\$6,375	\$6,579	\$1,088 or \$2,174	\$171	\$156
68.	Boat Ramps, Breakwaters or Jetties, Shoreline Protective Structures	\$3,312 min. fee, deposit account	\$3,418 min. fee, deposit account	\$1,088 or \$2,174	\$171	\$156
OTHER						
69.	Dredging & Filling	\$5,299 min. fee, deposit account	\$5,469 min. fee, deposit account	\$1,088 or \$2,174	\$171	\$156
70.	Shoreland Scenic Assessment – Baseline, Development Review, and Banking, Shorezone Character Type Verification/Challenges	\$529 min. fee, deposit account	\$546 min. fee, deposit account	N/A	N/A	\$156
71.	Transfer of Shoreland Scenic Credit, Shorezone Structure Transfers	\$682 min. fee, deposit account	\$704 min. fee, deposit account	\$1,088 or \$2,174	N/A	\$156
72.	Other	\$1,589 min. fee, deposit account	\$1,640 min. fee, deposit account	\$1,088 or \$2,174	\$171	\$156
^[1] See TRPA Code of Ordinances Chapter 84 and 90 for the definition of expansion.						

Fee Category		Old Base Fee	New Base Fee	Shoreland Scenic Review Fee if applicable* (old \$1054 or \$2107)	Stormwater Fee (old \$166)	IT Surcharge (old \$151)
SCHEDULE "I" - IPES, LAND CAPABILITY						
INDIVIDUAL PARCEL EVALUATION SYSTEM (IPES)						
73.	Appeal of IPES Scores	\$1,511 min. fee, plus \$2,500 deposit account to cover actual costs for Evaluation Team per Subsection 53.3.3, TRPA Code	\$1,559 min. fee, plus \$2,500 deposit account to cover actual costs for Evaluation Team per Subsection 53.3.3, TRPA Code	N/A	N/A	\$156
74.	Allowable Land Coverage Determination	\$714 min. fee, deposit account	\$737 min. fee, deposit account	N/A	N/A	\$156
75.	Different IPES Building Site	\$618	\$638	N/A	N/A	\$156
76.	Initial IPES Evaluation	\$1,141 min. fee, deposit account	\$1,178 min. fee, deposit account	N/A	N/A	\$156
77.	Limited Incentive Program	\$459	\$474	N/A	N/A	\$156
128.	Individual Parcel Evaluation System Limited Incentive Program	\$1,157 per point	\$1,194 per point	N/A	N/A	N/A
78.	Re-evaluation IPES (Access/Utility Connection)	\$856	\$883	N/A	N/A	\$156
LAND CAPABILITY						
79.	Land Capability Challenge	\$1,944 min. fee, plus \$2,500 deposit account to cover actual costs for Team of Experts per Subsection 30.3.4, TRPA Code	\$2,006 min. fee, plus \$2,500 deposit account to cover actual costs for Team of Experts per Subsection 30.3.4, TRPA Code	N/A	N/A	\$156
80.	Land Capability Verification	\$708 min. fee, deposit account	\$731 min. fee, deposit account	N/A	N/A	\$156
81.	Site Assessment - Complete	\$662 min. fee, deposit account	\$683 min. fee, deposit account	N/A	N/A	\$156
82.	Site Assessment - Partial	\$529 min. fee, deposit account	\$546 min. fee, deposit account	N/A	N/A	\$156
83.	Soils/Hydrology Investigations	\$645 min. fee, deposit account	\$666 min. fee, deposit account	N/A	N/A	\$156
84.	Shorezone Tolerance District Verification (<100 feet)	\$255	\$263	N/A	N/A	\$156
85.	Shorezone Tolerance District Verification (>100 feet)	\$196 min. fee, deposit account	\$202 min. fee, deposit account	N/A	N/A	\$156

Fee Category		Old Base Fee	New Base Fee	Shoreland Scenic Review Fee if applicable* (old \$1054 or \$2107)	Stormwater Fee (old \$166)	IT Surcharge (old \$151)
SCHEDULE "J" - GENERAL						
86.	Additional Plan Sheet Stamping	\$1.71 per sheet	\$1.76 per sheet	N/A	N/A	N/A
87.	Amendment to Code of Ordinances	\$3,403 min. fee, deposit account	\$3,512 min. fee, deposit account	N/A	N/A	\$156
88.	Amendment to Goals and Policies	\$3,403 min. fee, deposit account	\$3,512 min. fee, deposit account	N/A	N/A	\$156
89.	Amendment to Plan Area Statement	\$3,403 min. fee, deposit account	\$3,512 min. fee, deposit account	N/A	N/A	\$156
90.	Amendment to Rules of Procedure	\$2,246 min. fee, deposit account	\$2,318 min. fee, deposit account	N/A	N/A	\$156
91.	Amendment – Other Regional Plan	\$3,403 min. fee, deposit account	\$3,512 min. fee, deposit account	N/A	N/A	\$156
92.	Appeal of Executive Director Decision	\$1,275	\$1,316	N/A	N/A	\$156
93.	Appeal of Local Government Decision Pursuant to Area Plan MOU	\$1,721	\$1,776	N/A	N/A	\$156
94.	Banking of Verified Land Coverage, Unit of Use, and Conversion of Development Rights	\$392	\$405	N/A	N/A	\$156
95.	Conversions of Use	Use Schedules A through I	Use Schedules A through I	N/A	N/A	\$156
96.	Construction Schedule Extension including Grading Exceptions (Non Residential)	\$255	\$263	N/A	N/A	N/A
97.	Construction Schedule Extension including Grading Exceptions (Residential)	\$102	\$105	N/A	N/A	N/A
98.	Coverage Verification (<1 acre)	\$911	\$940	N/A	N/A	\$156
99.	Coverage Verification (>1 acre)	\$911 min. fee, deposit account	\$940 min. fee, deposit account	N/A	N/A	\$156
100.	Environmental Assessment	\$4,909 min. fee, deposit account	\$5,066 min. fee, deposit account	N/A	N/A	\$156
101.	Environmental Impact Statement	\$9,817 min. fee, deposit account	\$10,131 min. fee, deposit account	N/A	N/A	\$156
102.	Grading	\$546 deposit account	\$563 deposit account	N/A	N/A	\$156
103.	Historic Determination (Chapter 67)	\$1,420	\$1,465	N/A	N/A	\$156
104.	Left Blank Intentionally	N/A	N/A	N/A	N/A	N/A
105.	Linked Project Status Determination	\$763	\$787	N/A	N/A	\$156
106.	Lot Line Adjustment	\$1,653 (2 lots) + \$171 per additional lot	\$1,706 (2 lots) + \$176 per additional lot	N/A	N/A	\$156
107.	Master Plan	\$9,817 min. fee, deposit account	\$10,131 min. fee, deposit account	N/A	N/A	\$156
108.A	Qualified Exempt (not in the shorezone)	\$233	\$240	N/A	N/A	N/A

Fee Category		Old Base Fee	New Base Fee	Shoreland Scenic Review Fee if applicable* (old \$1054 or \$2107)	Stormwater Fee (old \$166)	IT Surcharge (old \$151)
SCHEDULE "J" - GENERAL (continued)						
108.B	Qualified Exempt (shorezone structures per Section 83.6, TRPA Code)	\$397	\$410	N/A	N/A	N/A
109.	Security Administration	\$264	\$272	N/A	N/A	N/A
110.	Left Blank Intentionally	N/A	N/A	N/A	N/A	N/A
111.	Additional Inspection, including Tahoe Yellow Cress (TYC)	\$154	\$159	N/A	N/A	N/A
112.	Signs – New, Modified, or Plan Revision	\$424 + \$171 per additional sign	\$438 + \$176 per additional sign	N/A	N/A	\$156
113.	Storage Tanks, Underground (new or Modification)	\$523 + \$430 per additional tank	\$540 + \$444 per additional tank	N/A	N/A	\$156
114.	Subdivisions of Existing Structures	\$1,225 + \$52 per new lot created	\$1,264 + \$54 per new lot created	N/A	N/A	\$156
115.	Subdivisions for Cemetery Lots	\$763	\$787	N/A	N/A	\$156
116.	Subdivision for Conveyance to Public Entity, or Court-Ordered Litigation	\$639 + \$34 per new lot created	\$659 + \$35 per new lot created	N/A	N/A	\$156
117.	Subdivision, Re-Subdivision (Excluding Lot Line Adjustments)	\$1,568 + \$69 per new lot created	\$1,618 + \$71 per new lot created	N/A	N/A	\$156
118.	Temporary Events/Activities (Chapter 2, TRPA Code)	\$1,131	\$1,167	N/A	N/A	\$156
119.	Temporary Uses/Structures (Chapter 22, TRPA Code)	\$1,187	\$1,225	N/A	N/A	\$156
120.	Detailed Transportation Analysis – If required in TRPA Code	\$189	\$195	N/A	N/A	\$156
121.	Transfer - Allocation	\$913 per allocation	\$942 per allocation	N/A	N/A	\$156
122.	Left Blank Intentionally	N/A	N/A	N/A	N/A	N/A
123.	Transfer – Land Coverage	\$913	\$942	N/A	N/A	\$156
124.	Transfer – Development Right	\$913	\$942	N/A	N/A	\$156
125.	Transfer – Verified Unit of Use	\$913	\$942	N/A	N/A	\$156
126.	Use Verifications	\$1,240 per Chapter 18 use definition	\$1,280 per Chapter 18 use definition	N/A	N/A	\$156
127.	Residential Allocation Monitoring Fee	\$171	\$176	N/A	N/A	N/A
128.	Individual Parcel Evaluation System Limited Incentive Program	<i>See Schedule I between fee 77. and 78.</i>	<i>See Schedule I between fee 77. and 78.</i>			
129.	Violations	2 x application fee, plus fines (if any)	2 x application fee, plus fines (if any)	N/A	N/A	\$156
130.	All Other Matters (Including Pre-application Consultations by Appointment)	\$561 min. fee, deposit account	\$579 min. fee, deposit account	N/A	N/A	\$156
131.	Left Blank Intentionally	N/A	N/A	N/A	N/A	N/A
132.	Parcel Consolidation Deed Restrictions	\$211	\$218	N/A	N/A	N/A
133.	Repeat Permit Acknowledgement	\$211	\$218	N/A	N/A	N/A
134.	Pier Expansions	<i>See Schedule H between fee 67. and 68.</i>	<i>See Schedule H between fee 67. and 68.</i>			

*Shoreland Scenic Review Fee only applies to littoral parcels and other parcels within the shoreland as defined in Chapter 90 of the TRPA Code of Ordinances.

EXEMPT MOU MONITORING ANNUAL FEE	AMOUNT
Agate Bay Water Company	\$ 920.00
Charter Communications	\$ 920.00
Douglas County Sewer Improvement District	\$ 920.00
Fulton Water Company	\$ 920.00
Kingsbury General Improvement District	\$ 920.00
Lakeside Park Mutual Water Company	\$ 920.00
Lukins Brothers Water Company	\$ 920.00
McKinney Water District	\$ 920.00
Nevada Bell/SBC Communications	\$ 920.00
Roundhill General Improvement District	\$ 920.00
Tahoe Park Water Company	\$ 920.00
Tahoe Swiss Village Utility, Inc.	\$ 920.00
Tahoe Truckee Unified School District	\$ 920.00
Tahoe-Douglas Sewer District	\$ 920.00
Ward Well Water	\$ 920.00
North Tahoe PUD	\$ 2,060.00
Pacific Bell Telephone Company dba AT&T California	\$ 2,060.00
Incline Village General Improvement District	\$ 4,120.00
South Tahoe Public Utility District	\$ 4,120.00
Tahoe City PUD	\$ 4,120.00
Liberty Energy	\$ 6,180.00
Sierra Pacific Power Company dba NV Energy	\$ 6,180.00
Southwest Gas Corporation	\$ 6,180.00
Exempt MOUs did not increase	

Mitigation Fee Schedule		
Fee Category	Old Base Fee	New Base Fee
Water Quality Mitigation	\$1.86 per square foot	\$1.86 per square foot
Mobility Mitigation Fee	Per Average Daily Vehicle Miles Travelled (VMT)	Per Average Daily Vehicle Miles Travelled (VMT)
Residential	\$213.76 per VMT	\$220.60 per VMT
Commercial	\$23.75 per VMT	\$24.51 per VMT
Tourist Accommodation Unit	\$213.76 per VMT	\$220.60 per VMT
Campsites & RV sites	\$213.76 per VMT	\$220.60 per VMT
Other	\$23.75 per VMT	\$24.51 per VMT
Off-Site Coverage Mitigation	See Excess Coverage Mitigation	See Excess Coverage Mitigation
Excess Coverage Mitigation Fees by Hydrologic Area	See Map	See Map
Incline	\$20 per square foot	\$20 per square foot
Marlette	\$12 per square foot	\$12 per square foot
Cave Rock	\$25 per square foot	\$25 per square foot
South Stateline (Nevada side)	\$15 per square foot	\$15 per square foot
South Stateline (California side)	\$8.50 per square foot	\$8.50 per square foot
Upper Truckee	\$8.50 per square foot	\$8.50 per square foot
Emeral Bay	\$8.50 per square foot	\$8.50 per square foot
McKinney Bay	\$8.50 per square foot	\$8.50 per square foot
Tahoe City	\$8.50 per square foot	\$8.50 per square foot
Agate Bay (California side)	\$8.50 per square foot	\$8.50 per square foot
Agate Bay (Nevada side)	\$18 per square foot	\$18 per square foot
Rental Vehicle Mitigation Fee*	\$6.33 per vehicle, per day (except local residents)	\$6.53 per vehicle, per day (except local residents)

*Effective date is 1/1/27 for Rental Vehicle Mitigation Fee only

SHOREZONE MITIGATION FEES

Fee Category	Fee
Mooring Registration Fee	\$43.00 per year
Buoy Scenic Mitigation	\$47.00 per year
Motorized Boat Rental Concession	\$75.00 per year for every boat with an EPA 3-star or better rating \$150.00 per year for every boat with an EPA 2-star or better rating
New Pier Construction or Expansion	\$60.00 per linear foot, new pier \$60.00 per linear foot, additional length to an existing pier \$600.00 per application, other additions
New Boat Ramp Construction or Expansion	\$60.00 per linear foot, new boat ramp \$60.00 per linear foot, additional length to an existing boat ramp \$200.00 per linear foot, additional width to an existing boat ramp
New Marina Construction or Expansion	\$200.00 per slip, new boat slip \$200.00 per buoy, new mooring buoy \$500.00 per application, other additions

Attachment B

Resolution Revising the Rental Vehicle Mitigation Fee

TAHOE REGIONAL PLANNING AGENCY
TRPA RESOLUTION NO. 2026 –

RESOLUTION OF ANNUAL ADJUSTMENT TO THE TRPA RENTAL VEHICLE MITIGATION FEE

WHEREAS, the Tahoe Regional Planning Agency (TRPA) is required under the TRPA Compact, Regional Plan, and Code of Ordinances to assess a Rental Vehicle Mitigation Fee;

WHEREAS, the fee adjusted pursuant to this resolution is compensatory, helps offset the costs of supporting the Tahoe Transportation District (TTD) transit operations and related transportation services in the Lake Tahoe Region, and does not raise revenue in excess of the cost of providing such services; and

WHEREAS, the Rental Vehicle Mitigation Fee will be subject to an annual adjustment each January according to the Western Region Consumer Price Index used for TRPA inflation adjustments.

NOW, THEREFORE, BE IT RESOLVED, pursuant to the authority contained in Article VII(e) of the TRPA Compact and Section 16.5.2 of the TRPA Rules of Procedure, that the Rental Vehicle Mitigation Fee be increased to \$6.53 per day, effective January 1, 2027.

PASSED and ADOPTED by the Governing Board of the TRPA this ____ day of _____, 2026, by the following vote:

Ayes:
Nays:
Absent:

Hayley Williamson, Chair
Tahoe Regional Planning Agency
Governing Board

STAFF REPORT

Date: October 21, 2026

To: TRPA Governing Board

From: TRPA Staff

Subject: Resolution of Enforcement Action: Brady Sessions; Unauthorized Grading resulting in Material Damage to Trees and Unauthorized Tree Removal; 630 Grand Avenue, Placer County, CA; Assessor's Parcel Number (APN) 085-142-021; TRPA File No. CODE2026-0025

Summary and Staff Recommendation:

Staff recommends that the Governing Board approve the proposed Settlement Agreement (Attachment A), under which Brady Sessions ("Sessions") agrees to pay \$15,000 to TRPA within 30 days of Governing Board approval of this Settlement Agreement for the unauthorized removal of two trees and addition of coverage without a TRPA permit at the property located at 630 Grand Avenue, Placer County, Assessor's Parcel Number (APN) 085-142-021 (the "Sessions Property").

Required Motions:

To approve the proposed Settlement Agreement, the Governing Board must make the following motion, based on the staff report:

A motion to approve the Settlement Agreement as shown in Attachment A.

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

Violation Description/Background:

In May 2026, TRPA investigated a report of unauthorized tree removal at the Sessions Property. After further investigation, TRPA found that two large trees over 20 inches diameter at breast height (dbh) had been removed for the construction of a new deck. Neither the tree removal activities nor deck construction project sought or obtained a TRPA permit, resulting in several violations of the TRPA Code of Ordinances ("Code"). The Code violations include the unauthorized creation of land coverage, unauthorized grading activities without a pregrade inspection, disturbance of vegetation during construction, and removal of trees greater than 14 inches dbh without TRPA approval.

Sessions has taken full responsibility for the unauthorized activities and has agreed to a settlement in which he will pay a penalty of \$15,000 to TRPA and either remove or obtain a permit for the deck

Regional Plan Compliance:

Article VI(k) of the Tahoe Regional Planning Compact ("Compact") requires TRPA to monitor activities in the region and bring enforcement actions to ensure compliance with the Regional Plan and adopted ordinances, rules, regulations, and policies. Article VI(l) of the Compact permits TRPA to seek civil penalties for violations of the Compact or its corresponding ordinances and regulations. This proposed resolution complies with all requirements of the Compact, Regional Plan, and Code of Ordinances.

Contact Information:

For questions regarding this agenda item, please contact Steve Sweet, TRPA Compliance Program Manager, at (775) 589-5250 or ssweet@trpa.gov.

Submitting Public Comment:

- Please submit written comments by 3 p.m. the day before the meeting.
- You may email comments to publiccomment@trpa.gov. Include meeting details and agenda item in the subject line or write "General Comment" for non-agenda items.
- You may also send by mail, fax to (775) 588-4527, or drop off in person at 128 Market Street.

Attachments:

- A. Sessions Settlement Agreement

This Settlement Agreement is made by and between Brady Sessions (“Sessions”) and the Tahoe Regional Planning Agency (“TRPA”). This Settlement Agreement represents the full and complete compromise and settlement of certain violations alleged by TRPA, as described below:

In May 2026, TRPA investigated a report of unauthorized tree removal at 630 Grand Avenue, Placer County, Assessor’s Parcel Number (APN) 085-142-021. After further investigation, TRPA found the construction of a new deck, creating unauthorized coverage, and removal of two large trees over 20 inches diameter at breast height (dbh) without obtaining a TRPA permit. TRPA staff alleges that Sessions was responsible for these activities, and that these activities occurred in violation of the following provisions of law or conditions of project approval:

1. TRPA Code of Ordinances §§ 2.3.1, 2.3.2, 2.3.6: Specifying activities that are exempt and qualified exempt from TRPA review and approval. *The unauthorized construction of a deck resulted in the addition of coverage. Addition of coverage is neither an exempt activity nor a qualified exempt activity. Thus, the unauthorized construction activities required a TRPA permit.*
2. TRPA Code of Ordinances § 5.3.1.A: For projects that require grading, TRPA shall conduct a pregrading inspection to determine if the permittee has satisfied pregrading conditions of approval, including installation of temporary erosion control and vegetation protection, and construction site boundary fencing. Other than actions to satisfy pregrading conditions of approval, no grading or construction shall be undertaken in the project area by the permittee until TRPA has notified the permittee that, based on the pregrading inspection, TRPA has verified that the pregrading conditions of approval have been satisfied. *Grading and construction occurred on this parcel without TRPA authorization. No pregrading inspection was requested prior to commencement of grading and construction activities.*
3. TRPA Code of Ordinances § 33.6.1: Vegetation shall not be disturbed, injured, or removed except in accordance with the Code or conditions of project approval during construction. All trees, major roots, and other vegetation, not specifically designated and approved for removal in connection with a project shall be protected according to methods approved by TRPA. *Two trees greater than 14 inches dbh were removed without a permit for the construction of a new deck.*
4. TRPA Code of Ordinances § 61.1.5: The cutting, moving, removing, killing, or materially damaging of live trees, and the attachment of appurtenances to trees, shall comply with

this subsection. Removal of trees greater than 14 inches dbh shall require approval by TRPA. *A minimum of two trees over 14 inches dbh have been removed without TRPA or cooperating agency authorization.*

By entering into this Agreement, Sessions does not admit to any of the allegations made against him.

This Settlement Agreement is conditioned upon approval by the TRPA Governing Board. Execution of the Agreement prior to Board action shall not be binding on either party in the event that the Board does not authorize settlement on the terms set forth below:

In order to fully resolve the matter, the parties hereby agree as follows:

1. Sessions shall pay TRPA \$15,000 within 30 days of Governing Board approval of this Settlement Agreement.
2. Sessions shall submit a restoration plan within 30 days of Governing board approval that outlines the planting of a minimum of two 10 to 15-foot-tall trees on the subject parcel. The trees shall be planted no later than July 1, 2027.
3. Sessions shall obtain a permit for the deck with 90 days of Governing board approval or submit a plan to remove the deck and restore the area.
4. If Sessions fails to comply with any of the actions required by this Settlement Agreement, TRPA reserves the right to file a judicial action to seek enforcement of this Settlement Agreement and/or seek penalties under Article VI(I) of the Tahoe Regional Planning Compact ("Compact") for the violations of TRPA Code described in this Agreement. Sessions also agrees to pay all reasonable attorney fees and costs incurred by TRPA in pursuing such a judicial action. Notwithstanding the foregoing, TRPA shall not initiate a judicial action unless TRPA has provided Sessions with written notice of default and notice to cure such default within ten business days after service of the written notice. If the default has not been cured by that time, TRPA may pursue a judicial action as described in this paragraph.
5. Once Sessions has fully complied with all of the terms herein, TRPA shall release Sessions of all claims arising out of the alleged violations of TRPA Code and procedures during the activities described in this Settlement Agreement. Sessions agrees that the statute of limitations applicable to the alleged violations of TRPA Code set forth in Article VI(j)(4) of the Compact is and shall remain tolled until Sessions has complied with

all terms of this Agreement, and Sessions waives any statute of limitations defense to those violations until the Agreement is fully satisfied.

Sessions has read this Settlement Agreement and understands all of its terms. Sessions has executed this Settlement Agreement after opportunity to review the terms with an attorney and acknowledges that the above-described activities constitute a violation of TRPA regulations. Sessions agrees to comply with all applicable TRPA requirements in the future.

Signed:



Brady Sessions

10/15/26

Date

Julie W. Regan, Executive Director
Tahoe Regional Planning Agency

Date

STAFF REPORT

Date: October 21, 2026

To: TRPA Governing Board

From: TRPA Staff

Subject: Resolution of Enforcement Action; LIND Art & Technology, Inc., Launching a motorized watercraft into the waters of the Region without an inspection, operating a motorized watercraft in a tributary and in No Wake zones, TRPA File No. CODE2026-0038

Summary and Staff Recommendation:

Staff recommends that the Governing Board approve the proposed Settlement Agreement (Attachment A), under which LIND Art & Technology, Inc. ("LIND") agrees to pay \$10,000 to TRPA within 30 days of Governing Board approval of this Settlement Agreement for use of motorized watercraft in violation of the TRPA Code of Ordinances ("Code"), including use in the tributaries of Lake Tahoe and launching without the required required aquatic invasive species ("AIS") decontamination requirements.

Required Motions:

To approve the proposed Settlement Agreement, the Governing Board must make the following motion, based on the staff report:

A motion to approve the Settlement Agreement as shown in Attachment A.

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

Violation Description/Background:

LIND designs and sells electric surfboards and is operated through two affiliated entities: LIND Art & Technology, Inc., a corporation based in San Francisco, California ("LIND"), and LIND Art & Technology AB, a Swedish entity ("LIND AB"). LIND is the sole signatory to this Settlement Agreement, and all references to "LIND" in this Agreement refer to LIND Art & Technology, Inc. unless otherwise specified.

In 2026, TRPA discovered social media content posted to official LIND social media channels that depicted the use of LIND electric surfboards within Lake Tahoe and other waterbodies of the Lake Tahoe basin. The electric surfboards manufactured by LIND are considered "motorized watercraft" under the TRPA Code and are subject to Code provisions pertaining to motorized watercraft.

The content depicted (1) the launching of LIND electric surfboards into Lake Tahoe without required AIS inspection and decontamination, (2) the use of LIND electric surfboards within Lake Tahoe in a manner that created wakes within 600 feet of the waterline and within Emerald Bay, and (3) the use of LIND

electric surfboards within the tributaries of Lake Tahoe. These activities are prohibited by various TRPA Code provisions pertaining to AIS, watercraft use, and shorezone activities, as described in Attachment A.

LIND explained that content was filmed during two separate productions at Lake Tahoe in June 2025 and that they were not familiar with TRPA regulations. LIND has taken responsibility for the unauthorized activities and has agreed to a settlement in which they will pay a penalty of \$10,000 to TRPA, remove all content depicting violations of TRPA Code from their website, and agree to restrictions on future use of the content.

Regional Plan Compliance:

Article VI(k) of the Tahoe Regional Planning Compact ("Compact") requires TRPA to monitor activities in the region and bring enforcement actions to ensure compliance with the Regional Plan and adopted ordinances, rules, regulations, and policies. Article VI(l) of the Compact permits TRPA to seek civil penalties for violations of the Compact or its corresponding ordinances and regulations. This proposed resolution complies with all requirements of the Compact, Regional Plan, and Code of Ordinances.

Contact Information:

For questions regarding this agenda item, please contact Steve Sweet, TRPA Compliance Program Manager, at (775) 589-5250 or ssweet@trpa.gov.

Submitting Public Comment:

- Please submit written comments by 3 p.m. the day before the meeting.
- You may email comments to publiccomment@trpa.gov. Include meeting details and agenda item in the subject line or write "General Comment" for non-agenda items.
- You may also send by mail, fax to (775) 588-4527, or drop off in person at 128 Market Street.

Attachments:

- A. LIND Settlement Agreement

SETTLEMENT AGREEMENT

This Settlement Agreement is made by and between LIND Art & Technology, Inc. (“LIND”) and the Tahoe Regional Planning Agency (“TRPA”). This Settlement Agreement represents the full and complete compromise and settlement of certain violations alleged by TRPA, as described below:

LIND designs and sells electric surfboards. LIND’s business is operated through two affiliated entities: LIND Art & Technology, Inc., a corporation based in San Francisco, California (“LIND”), and LIND Art & Technology AB, a Swedish entity (“LIND AB”). LIND is the sole signatory to this Settlement Agreement, and all references to “LIND” in this Agreement refer to LIND Art & Technology, Inc. unless otherwise specified.

LIND maintains social media channels to promote their products. The electric surfboards manufactured by LIND are considered “motorized watercraft” under the TRPA Code of Ordinances (“Code”) and are subject to Code provisions pertaining to motorized watercraft. These provisions include aquatic invasive species (“AIS”) decontamination requirements and operation restrictions.

In 2026, TRPA discovered social media content posted to official LIND social media channels that depicted the use of LIND electric surfboards within Lake Tahoe and other waterbodies of the Lake Tahoe basin. TRPA contacted LIND. LIND explained that content was filmed during two separate productions at Lake Tahoe in June 2025 and July 2025. TRPA alleges that the depicted activities resulted in the following violations of the TRPA Code:

1. TRPA Code of Ordinances § 61.3.3.A: Unless excepted in TRPA Code Section 61.3.3.B, no project or activity shall be undertaken in an SEZ (Land Capability District 1b) that converts SEZ vegetation to a non-native or artificial state or that negatively impacts SEZ vegetation through action including, but not limited to, reducing biomass, removing vegetation, or altering vegetation composition. *LIND operated motorized watercraft in tributaries to Lake Tahoe, resulting in unauthorized SEZ disturbance.*
2. TRPA Code of Ordinances § 63.4.1.C: Prohibiting the launching, or attempting to launch, of any motorized watercraft into the waters of the Lake Tahoe region without an inspection by TRPA or its designee, to detect the presence, and prevent the introduction of, aquatic invasive species. Non-motorized watercraft and seaplanes are subject to inspection and are included in this provision if determined necessary by TRPA or its designee. *LIND launched motorized watercraft into the waters of the Lake Tahoe region without required inspection.*

3. TRPA Code of Ordinances § 63.4.2.A: All watercraft, ancillary equipment (e.g. tow vehicle, trailer, etc.), and seaplanes inspected pursuant to subparagraph 63.4.1.C shall be subject to decontamination if determined necessary by the TRPA or its designee. *Because LIND launched motorized watercraft without inspection, TRPA was unable to conduct any necessary decontaminations.*
4. TRPA Code of Ordinances § 63.4.2.B: All watercraft, ancillary equipment (e.g. tow vehicle, trailer, etc.) and seaplanes subject to inspection and/or decontamination pursuant to subparagraphs 63.4.1.C and 63.4.2.B shall be permitted to enter the waters of the Lake Tahoe region only if: (a) the inspection and/or decontamination is performed and completed by an individual trained and certified pursuant to TRPA standards and requirements for aquatic invasive species inspection and decontamination, and (b) following inspection and/or decontamination, the launch or landing, as appropriate, is authorized by an inspector trained and certified pursuant to TRPA's standards and requirements for aquatic invasive species inspections. TRPA's standards and requirements are found in the federally approved Lake Tahoe Regional Aquatic Invasive Species Management Plan. *LIND motorized watercraft entered the waters of the Lake Tahoe region without inspection and/or decontamination, and subsequent authorization for launch.*
5. TRPA Code of Ordinances § 84.10.1.C.1: The creation of a wake or speeds in excess of five MPH by motorized watercraft shall be prohibited from the following areas: (a) Within 600 feet of the waterline of Lake Tahoe; (b) Within 200 feet of shorezone structures; and (c) Within 100 feet of swimmers and non-motorized watercraft. *LIND social media content clearly depicts LIND motorized watercraft creating wakes within 600 feet of the Lake Tahoe waterline.*
6. TRPA Code of Ordinances § 84.10.1.C.2: Within Emerald Bay, all areas are designated as a no wake zone. The creation of a wake or speeds in excess of five (5) MPH by motorized watercraft within Emerald Bay is prohibited, except that tour boats may be permitted to use speeds up to seven (7) MPH. *LIND social media content clearly depicts LIND motorized watercraft creating wakes within Emerald Bay.*
7. TRPA Code of Ordinances § 84.10.1.D: The operation of a motorized watercraft on the tributaries of the Region, exclusive of other lakes in the Region, shall be prohibited. The prohibition shall commence at a line across the mouth of the tributary representing an extension of the existing water line across the mouth. *LIND social media content clearly depicts*

LIND motorized watercraft operating in tributaries of the Region, including, but not limited to, Taylor Creek and the Upper Truckee River.

By entering into this Agreement, LIND does not admit to any of the allegations made against it.

This Settlement Agreement is conditioned upon approval by the TRPA Governing Board. Execution of the Agreement prior to Board action shall not be binding on either party in the event that the Board does not authorize settlement on the terms set forth below:

In order to fully resolve the matter, the parties hereby agree as follows:

1. LIND shall pay TRPA \$10,000 within 30 days of Governing Board approval of this Settlement Agreement.
2. LIND shall remove any and all content on social media channels that depicts the unauthorized activities described in this Settlement Agreement, or that otherwise depicts the use of LIND motorized watercraft in the Lake Tahoe region in a manner that is prohibited by the TRPA Code, within 30 days of Governing Board approval of this Settlement Agreement. LIND shall provide a written certification to TRPA, itemizing what content was removed from which channels, within the removal deadline.
 - a. "Content," for purposes of this Settlement Agreement, includes, but is not limited to, photos, videos, clips, and posts.
 - b. "Social media channels," for purposes of this Settlement Agreement, include, but are not limited to, Instagram, YouTube, Facebook, TikTok, and Snapchat owned or controlled by LIND or LIND AB, and any such accounts maintained by LIND's or LIND AB's officers, directors, or employees in that capacity (collectively, "LIND's Agents"). "Social media channels" also include the accounts described in subparagraph 2.c.
 - c. For content residing on any such account not owned or controlled by LIND, LIND AB, or LIND's Agents—including accounts maintained by independent contractors or third-party content creators—LIND shall use commercially reasonable efforts to request removal by the account holder and shall provide TRPA with documentation of such requests within the removal deadline set forth in this Paragraph. Commercially reasonable efforts do not include threats of litigation. As part of this certification, LIND shall affirmatively identify any content described in this Paragraph that LIND has identified through a reasonable search of its own social media accounts (including tagged posts, mentions, and comments referencing LIND or its handles) and through inquiry to each individual and entity who participated in, sponsored, or was otherwise

involved in the productions described in this Settlement Agreement—regardless of whether such content resides on an account owned or controlled by LIND.

3. LIND is prohibited from reposting any and all content described in Paragraph 2 to any social media channel. This prohibition shall be permanent and without limitation as to time. This prohibition shall apply to LIND and to any third party acting on LIND's behalf or at LIND's direction.
4. LIND is prohibited from using any and all material described in Paragraphs 2 and 3 for any promotional, marketing, or advertising purposes. This prohibition shall not include use for LIND's confidential internal recordkeeping or as required by law.
5. LIND agrees to comply with TRPA Code requirements in the future when using or operating motorized watercraft in the Lake Tahoe region. LIND acknowledges that, by virtue of this Settlement Agreement, it has actual notice of the TRPA Code requirements governing AIS inspection and decontamination, no-wake zones, or operation of motorized watercraft in the tributaries of the Region—including the specific Code provisions cited in this Agreement, or any successor or substantially similar provision addressing the same subject matter. In any future enforcement action concerning a violation by LIND of those requirements, LIND shall not assert lack of knowledge of the applicable requirement as a basis for contending that the violation was inadvertent or non-willful. This acknowledgment is limited to future violations of the nature described in this Agreement and does not apply to, and shall not be construed to affect the characterization of, any other TRPA Code violation unrelated to the use or operation of motorized watercraft.
 - a. For purposes of this Paragraph, a violation is "by LIND" if the motorized watercraft is operated in connection with a LIND promotional, marketing, or advertising activity by any person—including LIND's employees, officers, contractors, sponsored riders—who operates a LIND-owned or LIND-branded watercraft at LIND's direction, under LIND's control or supervision, or with LIND's direct participation.
 - b. LIND shall cause LIND AB to comply with the restrictions and obligations set forth in Paragraphs 3, 4, and 5 of this Agreement as if LIND AB were bound directly by their terms. LIND's failure to cause such compliance shall constitute a failure to comply with this Settlement Agreement for purposes of Paragraph 6.
6. If LIND fails to comply with any term, obligation, prohibition, or covenant of this Settlement Agreement, TRPA reserves the right to file a judicial action to seek enforcement of this Settlement Agreement, including injunctive relief, and LIND shall pay all reasonable attorney's fees and costs incurred by TRPA in pursuing any such judicial action. In addition, if LIND fails to

comply with the actions required under Paragraphs 1 or 2, TRPA may also seek penalties under Article VI(l) of the Compact for the violations of TRPA Code described in this Agreement. Notwithstanding the foregoing, TRPA shall not initiate a judicial action unless TRPA has provided LIND with written notice of default and notice to cure such default within ten days of the date of written notice, provided that, for a default that is not reasonably capable of cure or where immediate relief is necessary to prevent or halt an ongoing violation, TRPA shall provide LIND with written notice of the default but no cure period shall be required. If the default has not been cured by that time (or, where the default cannot reasonably be cured within ten days, if LIND has not completed it within a reasonable time thereafter), TRPA may pursue a judicial action as described in this Paragraph.

7. Once LIND has fully complied with the terms set forth in Paragraphs 1 and 2, TRPA shall release LIND, LIND AB, and their respective officers, directors, employees, and contractors of all claims arising out of the alleged violations of TRPA Code and procedures described in this Settlement Agreement, provided that this release does not extend to any person who is the subject of a separate TRPA enforcement matter.
 - a. LIND agrees that the statute of limitations applicable to the alleged violations of TRPA Code set forth in Article VI(j)(4) of the Compact is and shall remain tolled until LIND has complied with Paragraphs 1 and 2, and LIND waives any statute of limitations defense to those alleged violations until the terms set forth in Paragraphs 1 and 2 are fully satisfied.
 - b. Nothing in Paragraph 7 releases LIND from its ongoing obligations under Paragraphs 3, 4, and 5, which shall survive the release described in Paragraph 7 and remain in full force and effect.
8. In consideration of the terms of this Settlement Agreement, LIND, on behalf of itself and its officers, directors, employees, and agents, releases and forever discharges TRPA and its Governing Board members, officers, employees, and agents from any and all claims, demands, causes of action, liabilities, damages, or other claims for relief, whether known or unknown, arising out of or relating to the activities described in this Settlement Agreement, TRPA's investigation or enforcement concerning those activities, or the negotiation, execution, or performance of this Settlement Agreement, except for claims to enforce the terms of this Settlement Agreement.

LIND has read this Settlement Agreement and understands all of its terms. LIND has executed this Settlement Agreement after opportunity to review the terms with an attorney. LIND acknowledges that

TRPA has alleged the above-described activities constitute violations of TRPA regulations. LIND agrees to comply with all applicable TRPA requirements in the future.

Signed:

Mattias Söderhielm, CEO
LIND Art & Technology, Inc.

Date

Julie W. Regan, Executive Director
Tahoe Regional Planning Agency

Date

STAFF REPORT

DATE: October 21, 2026
To: TRPA Governing Board
From: TRPA Staff
Subject: Briefing on Biodiversity and Recreation Threshold Updates

Summary and Staff Recommendation:

The Bi-State Compact requires TRPA to adopt environmental threshold carrying capacities (threshold standards) to establish environmental quality goals for the Tahoe Region. The Board identified continuing to review and update the standards as a priority for the 2026-2027 work plan. The presentation will provide an overview of the work underway to update threshold standards related to biodiversity and recreation.

Requested Action:

This item is informational only.

Background:

More than forty years ago, the revised Bi-State Compact recognized that “the waters of Lake Tahoe and other resources of the region are threatened with deterioration or degeneration, which endangers the natural beauty and economic productivity of the region” (96th Congress, 1980). To protect these resources for future generations, the Compact directs TRPA to establish “environmental threshold carrying capacities,” defined as “an environmental standard necessary to maintain a significant scenic, recreation, educational, scientific or natural value of the region or to maintain public health and safety within the region.”

These standards set environmental quality goals and represent a shared aspiration to restore and protect Lake Tahoe. The standards shape the goals and policies of the Regional Plan and guide millions of dollars of public and private investment in the basin through the Environmental Improvement Program (EIP).

The initial threshold standards, established more than four decades ago, were never intended to remain static. The multi-disciplinary team that authored the 1981 threshold study report outlined specific triggers for standard review and set the expectation that the standards would be reassessed at least every five years, writing, “environmental thresholds are not static standards that once in place remain forever” (TRPA 1982a).

The presentation will provide an overview of the work underway to update threshold standards in two focus areas.

Biodiversity:

Biodiversity will be a new threshold category comprised of updated existing standards currently nested in the fisheries, vegetation, and wildlife categories. Most existing standards date back to 1982. Over the last four decades, significant progress has been made towards achieving many of our thresholds. The presentation will summarize the background of current thresholds and describe ongoing efforts to update them to ensure they reflect current science and management goals for the region.

Recreation:

In 1982, two threshold standards were adopted for recreation. The standards call for maintaining a “fair share” distribution of the region’s recreation capacity and maintaining a high-quality recreation experience. While both standards articulate relevant goals, neither identifies a specific or objectively measurable outcome. The presentation will detail the process underway to update both standards in alignment with the Lake Tahoe Destination Stewardship Plan.

Contact Information:

For questions regarding this item, please contact Beth Vollmer, Senior Environmental Specialist, at (775) 589-5291 or bvollmer@trpa.gov, or Devin Middlebrook, Government Affairs Manager, at (775) 589-5230 or dmiddlebrook@trpa.gov.

Submitting Public Comment:

- Please submit written comments by 3 p.m. the day before the meeting.
- You may email comments to publiccomment@trpa.gov. Include meeting details and agenda item in the subject line or write "General Comment" for non-agenda items.
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STAFF REPORT

Date: October 21, 2026

To: TRPA Governing Board

From: TRPA Staff

Subject: Lake Tahoe Aquatic Invasive Species (AIS) Program Update

Summary and Staff Recommendation:

TRPA staff will provide an update on the Aquatic Invasive Species (AIS) program. The presentation will cover all program areas including AIS prevention, control, monitoring, and rapid response for the past year.

Lake Tahoe faces a constant and serious threat from the introduction and spread of aquatic invasive species. AIS can harm native ecosystems, negatively impact recreation opportunities, and affect Lake Tahoe's famed water quality and clarity. The Lake Tahoe AIS program's mission is to prevent, detect, and control aquatic invasive species in the region so that future generations can enjoy Lake Tahoe.

TRPA co-leads the Lake Tahoe AIS program with the Tahoe Resource Conservation District (Tahoe RCD) and more than 40 public and private partners. Numerous federal, state, and regional regulations and programs are in place to limit the introduction and spread of AIS. TRPA and Tahoe RCD implement a nationally recognized watercraft inspection program, work together to reduce and control the existing invasive species in the lake, and conduct lake-wide monitoring to measure progress.

Staff will provide an overview of accomplishments, challenges, and upcoming work for the AIS program. Staff will highlight program enhancements to protect the Tahoe Region from golden mussels and other AIS. These enhancements include strategies focusing on motorized and non-motorized recreation, education and outreach, as well as the status of permanent watercraft inspection stations.

Staff will also share progress on control activities including the next phase of work at the Taylor-Tallac Ecosystem, Emerald Bay, and Nevada Shoreline areas, as well as interim control and containment work at the Tahoe Keys and other locations around the lake.

Regarding monitoring, staff will discuss upcoming lake-wide surveys and surveillance, a new drone-supported remote-sensing effort, and early detection monitoring.

Staff will close with the status of funding for the program and upcoming priorities. This item is for informational purposes, and no action is required.

Contact Information:

For questions regarding this agenda item, please contact Dennis Zabaglo, Aquatic Invasive Species Program Manager, at (775) 589-5255 or dzabaglo@trpa.gov.

Submitting Public Comment:

- Please submit written comments by 3 p.m. the day before the meeting.
- You may email comments to publiccomment@trpa.gov. Include meeting details and agenda item in the subject line or write "General Comment" for non-agenda items.
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