

TAHOE REGIONAL PLANNING AGENCY  
ADVISORY PLANNING COMMISSION

Tahoe Regional Planning Agency  
Zoom

September 14, 2022

**Meeting Minutes**

I. CALL TO ORDER AND DETERMINATION OF QUORUM

Chair Mr. Ferry called the meeting to order at 9:31 a.m.

Members present: Ms. Carr, Ms. Chandler, Mr. Drake, Mr. Drew, Mr. Ferry, Ms. Ferris, Mr. Guevin, Mr. Hill, Ms. Jacobsen, Ms. Moroles-O'Neil, Mr. Hitchcock (for Ms. Roverud), Ms. Simon, Ms. Stahler, Mr. Teshara, Mr. Young

Members absent: Mr. Alling, Mr. Letton, Mr. Smokey

II. APPROVAL OF AGENDA

Mr. Ferry deemed the agenda approved as posted.

III. PUBLIC INTEREST COMMENTS

None.

IV. DISPOSITION OF MINUTES

Mr. Teshara moved approval of the May 11, 2022 minutes.  
Ms. Chandler seconded the motion

Mr. Hill abstained.

**Motion passed.**

V. PUBLIC HEARINGS

A. Aquatic Invasive Species (AIS) Annual Program Update

TRPA staff Mr. Zabaglo provided the presentation.

Presentation can be found at:

[Agenda Item. V.A. AIS Annual Program Update](#)

Mr. Zabaglo began with providing the background of the Aquatic Invasive Species (AIS) Program. Mr. Zabaglo explained that the AIS program is one of the highest priority programs in the Environmental Improvement Program (EIP), and endeavors to minimize the devastating impacts

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aquatic invasive species could have on Tahoe's ecology and economy. The program is guided by a federally approved management plan, which designates the Tahoe Regional Planning Agency (TRPA) as program lead and addresses all aspects of the program's strategic direction.

One component of the program is **Prevention**, which includes the Watercraft Inspection Program. Mr. Zabaglo said the program continues to be successful with no new invasions since the program began in 2008. Inspections are mandatory for all motorized watercraft, and hot water decontaminations are conducted where necessary. Highly trained staff work at three seasonal inspection stations located at entry points into the basin, and inspection take place at two boat ramps (Lake Forest and Cave Rock) during the off-season. The Lake Tahoe AIS Program is considered the gold standard, marrying education, science, and customer service as critical parts of the program. Mr. Zabaglo said that an emphasis on education and outreach has really paid off, with close to 60% of boaters arriving for inspection, "clean, drained, and dry".

Mr. Zabaglo explained that the **Control** component of the AIS program implements projects that are designed to reduce or eradicate aquatic invasive species. He said they are gradually gaining localized reduction in certain areas of the lake and are working towards a 90% reduction in existing invasive species.

The **Monitoring** component is used to track progress towards goals. For prevention, the program monitors for quagga and zebra mussels, and uses an independent team to evaluate compliance at the inspection stations & boat ramps. For control, routine surveys are conducted to measure population reductions.

Mr. Zabaglo said the program works because of partnership. They are fortunate to have a great set of partners including the Tahoe Resource Conservation District (TRCD), who serve as co-chair alongside TRPA, of the Aquatic Invasive Species Coordinating Committee (AISCC). Other partners and/or members of the committee include representatives from local non-profits, academia, science, senior leaders and executives, boaters, and the public throughout the region.

Mr. Zabaglo continued by highlighting some of the priorities for prevention. He reminded the group that last year, they saw the most mussel boats ever seen in one season, with close to 50 mussel boats. This year has seen one of the lowest counts. Mr. Zabaglo said they equate that drop to comprehensive outreach aimed at new boat-owners and buyers, using national boating publications to highlight the message. Mr. Zabaglo said they also joined a national campaign called the 'Call before you Haul' program (like the 'Call before you Dig' program), whereby AIS inspection requirements are posted to every Department of Transportation (DOT) website for commercial haulers and transporters to examine as they obtain permits and cross state lines.

Mr. Zabaglo advised that a new appointment system implemented last year has been well utilized by boaters with over 70% of inspections in 2022 coming through the appointment system. On demand inspections are still available.

As with many sectors, staffing has been a challenge. The program has addressed the issue by assessing wages to be more competitive. Housing also continues to be a factor and partners are working together to see where they can help move the needle on that issue.

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The program is focused on the installation of permanent inspection stations to facilitate improved efficiencies and customer service. For the planned permanent inspection station at Meyers, they will look to incorporate onsite workforce housing.

The location for the proposed permanent site on the Nevada side, is near the current seasonal station, at the intersection of Highway 28 and Highway 50 (Spooner Summit). Tentative plans for the multi-use facility include trailhead and park & ride amenities, as part of the Highway 28 Corridor Management Plan. Currently, with funding from the Nevada License Plate Fund, they have 30% design plans, and with additional funding from the Bi-Partisan Infrastructure Law, they expect to develop 100% design plans in the near future.

The location for the proposed permanent site on the California side is in Meyers, near to the current seasonal station, on California Tahoe Conservancy Asset Lands. Consultants are currently working on conceptual design plans.

Mr. Zabaglo spoke about some of the issues demanding attention going forward. With the challenges of climate change and warmer waters, they will be considering whether a longer operating season is required. This would require increased staffing. Warmer temperatures may also increase susceptibility to additional species, so they are revising the risk assessments to better understand and prepare for added threats.

Moving on to Control, Mr. Zabaglo said that the AIS Action Agenda is a strategic plan that aims to knock back existing invasive species by 90% over a ten-year period. These projects are becoming the first step in an overall restoration, and the AIS program is working with other programs to get the projects implemented. This year, some of the main control priority projects include the Taylor Tallac Creek Project and the Tahoe Keys Weeds Project. The program is also planning for future projects at Ski Run Marina, Edgewood Golf Club, and the Upper Truckee River, that will begin in 2023.

Mr. Zabaglo explained that their work on the [Taylor Tallac Creek Restoration Project](#), is the first step in a restoration project to ensure that their work does not make the problem worse, and to improve the habitat for native species. The United States Forest Service (USFS) has identified the Taylor Tallac Creek as the largest functioning wetland in the basin, with the potential to house all native species. Improving this ecosystem is especially critical when considering climate change threats, where improving natural filters will help build resiliency.

The project is the largest eradication project that has been implemented to date and includes the use of bottom barriers across approximately 17-acres of infestation at the Taylor Tallac Creek. Funding for the project includes federal funds through the Lake Tahoe Restoration Act, USFS, TRPA, and a significant influx from the Bi-Partisan Infrastructure Law. The Tahoe Fund have also contributed funds to the project.

Moving on to the Tahoe Keys, Mr. Zabaglo said that this project is a prime example of the importance of epic collaboration and public-private partnerships. Test project activities at the Tahoe Keys began at the end of May 2022, when waterflows were still entering the keys, which was a required protection measure. The map on slide 8 highlights the monitoring sites, where an independent team is conducting comprehensive monitoring for the project. Monitoring tasks include tracking degradation of herbicides, nutrient and water quality monitoring, and

monitoring for outbreaks of harmful algal blooms. Another important aspect of the test program is to measure efficacy, with the goal of achieving 70% biomass reduction in the test area.

Two herbicides (Endothall and Triclopyr) were applied. Both have degraded considerably, with Endothall at non-detect levels for the past couple of months. Triclopyr is still detectable at very low levels (just above one part per billion) and turbidity curtains remain in place to prevent movement into the lake itself. Preliminary results from the herbicide and UV treatments are encouraging, and show that native plants are unaffected. An interim report will be released shortly, followed by a more thorough report and preliminary results at the end 2022.

The test project looks at individual treatments by themselves and in combination. There are multiple sites where herbicides have been used independently, multiple sites where UV was used independently, and multiple sites where they have been used together. Efficacy results expected by the end of 2022 will inform what type of treatments are implemented in 2023 and beyond, using all non-herbicidal methods.

Shortly after treatment application began, some significant wind events did create a breach in one of the turbidity curtains. Contingency plans were implemented immediately with additional testing and additional turbidity curtains to successfully ensure that no herbicides reached the channel or the lake proper.

Looking at overall AIS Program Monitoring, Mr. Zabaglo advised that the program employs lake-wide survey and dive transects, and will be implementing sonar (hydroacoustic scanning) on a lake-wide basis to obtain finer details and measurements.

EIP performance metrics are also being updated. Currently the AIS Program uses 'acres treated', which is a good measure for effort, but as with fuels treatment, the same area may need to be re-treated over time. So, three acres treated does not necessarily mean that three acres of invasive species have been eradicated. The program is working with the TRPA Research and Analysis team on metrics that will better track actual reduction numbers to develop an 'acres reduced' EIP performance metric.

For prevention monitoring, the program utilizes secret-shopper surveys to assess compliance at inspection stations and launch ramps. Visual surveys are conducted on artificial substrates, and water quality monitoring is conducted to detect quagga or zebra mussels.

Mr. Zabaglo (slide 13) said that the program has been fortunate to receive significant federal funding over the last several years, through the Lake Tahoe Restoration Act and the United States Army Corps of Engineers (USACE). And now, through the Bi-Partisan Infrastructure Law, the program has a scope of work with the United States Fish and Wildlife Service (USFWS) for additional projects specific to the Law, such as the Taylor Tallac Restoration Project, the planned permanent Inspection Stations, and a feasibility study to look at existing marina facilities to see if there is potential to redesign them to make them less likely to harbor invasive species. North Tahoe Marina on the north shore, is looking at moving their facility from a 'cut-in' environment, to a floating marina.

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Other funding sources include state funding from grants and through the TRPA General Fund, private funds from boat inspection fees, and non-profit contributions from The League to Save Lake Tahoe and The Tahoe Fund.

Mr. Zabaglo said that the AIS Action Agenda identified increased 'pace and scale' as being critical to achieving the goal of 90% reduction in existing invasive species. To that end, additional staff have been recruited to the program, and Mr. Zabaglo introduced Ms. Emily Frey as the new AIS Projects Coordinator. The AIS Team will also be working with permitting partners to better coordinate on project forecasting and permitting requirements. A recent 'Cutting the Green Tape' workshop involved many basin partners, who used the Taylor Tallac Restoration Project as a case study to identify more efficient planning processes going forward.

Mr. Zabaglo said that coordination continues to be key to building success. As part of the Shoreline Plan, all major marinas around the lake are required to develop and implement AIS Management Plans to prevent spread and establishment of invasive species. Those plans will be rolled out in 2023.

### Commission Comments & Questions

Referring to the work taking place in the Tahoe Keys, Mr. Drew referred to images (slide 9 & 10) that appear to show that the herbicides and UV light treatment is working well with dead invasive and living native species. He said that there seems to be quite a bit of turbidity associated with all the organic material being killed off. He said that makes sense but asked Mr. Zabaglo if they had a sense of how long the turbidity is lasting, and if there will be a need to harvest the dead material. Mr. Zabaglo said that a lot of the turbidity is likely due to lack of mixing because of the turbidity curtains that are still in place. He said that the plants are 95% water so there is not a lot of leftover material, and what is left mainly dissolves as a natural function (as happens annually when the plants die off on their own). Mr. Zabaglo said they don't expect the turbidity to remain any longer than would be normally seen in a season. Water quality has continued to improve, and they have ongoing monitoring activity. He does not expect harvesting will be required.

Ms. Simon asked if Mr. Zabaglo had received any other information from the Tahoe Keys Homeowners Association (TKPOA) about the use of fertilizers or new lawns. Mr. Zabaglo said that the TKPOA have had a phosphorus fertilizer ban in place for several years. He further advised that the TRPA Stormwater Program Manager, Shay Navarro, has developed a Best Management Practices (BMP) Guide specifically for the Tahoe Keys, to educate owners on low watering, low fertilizer landscape practices. Ms. Simon asked if that was seen to be effective. Mr. Zabaglo said he believes that TKPOA monitors and enforces the phosphorus fertilizer ban and added that he would follow up with Ms. Navarro on any results from the BMP Guide. Ms. Simon thanked Mr. Zabaglo and said she realized this was a little beyond the scope.

Ms. Chandler advised that she is a member of the TKPOA Water Quality Committee. She said they have found that the phosphorus level in the lagoons is low in comparison to the level in the Lake Tallac area. The Lake Tallac area is an area where a lot of runoff comes from the Tahoe Island area, and unfortunately there is no basin wide phosphorus ban. She said it would be wonderful if there was, because eventually all the water in the basin will end up in the lake.

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Ms. Chandler said she had been observing the Control Methods Test very closely. She offered thanks to Mr. Zabaglo and the TRPA for all they have done. She said that despite some issues, the TKPOA consider the test to have been a complete success. One issue was the wind, and another was due to the fact that the herbicides only target specific species. As a result, other species were allowed to thrive and grow more prolifically. Ms. Chandler said that they also anticipated the test would only last for approximately one month, but due to a request for lower levels of non-detect, the curtains had to stay in place longer than planned. This created circulation problems and they found that one of the herbicides, Triclopyr, lasts longer in turbid water. Half of the curtains have been removed, and the other half will be removed at the end September 2022. Ms. Chandler said she thinks that the test has been a success, and that they have good path for moving forward.

Mr. Drake asked what percentage of boats were turning up to inspection stations with signs of aquatic invasive species. He said he was curious to know if that was going up/down, and if they were seeing increased pressure from outside the lake, or if broader, regional efforts were having an impact. Mr. Zabaglo responded that for mussel boats, which is the focus of most programs, last year was record-breaking for the highest number of boats with signs of AIS, while this year is one of the lowest on record.

Mr. Zabaglo suggested that increased travel, falling fuel prices, and an increase in boat sales, following the COVID shutdowns, could have had an impact on last year's spike in numbers. Furthermore, he suggested that educational and outreach measures may have reduced numbers this season.

Mr. Ferry asked if there is an additional charge for boats that required decontamination. Mr. Zabaglo said yes, there is an additional fee. He added that the inspection fee is charged on an annual basis, so one fee will provide for as many inspections as needed for boaters that choose to boat in other water bodies. If decontamination is required, it is charged per incident, to encourage boaters to do their due diligence and arrive at the station 'clean, drained, and dry'.

Referring to the Taylor Tallac Restoration Project, Mr. Ferry asked what the nature of the infestation is. Mr. Zabaglo responded that it is predominantly Eurasian Watermifoil, and that there is also historic evidence of Curly-leaf Pondweed. He said that they expect the bottom barriers to be in place for about three years, with regular inspections throughout the length of the project to ensure that the barriers stay in place. There is signage around the project area to inform and educate the public.

Mr. Ferry said that he is glad to hear that the Meyers Inspection Station is moving forward and looks forward to working with Mr. Drew and Mr. Zabaglo on the project. He encouraged Mr. Zabaglo to provide a presentation to the Meyers Advisory Council at an appropriate time.

Ms. Carr said it looked like the Taylor Tallac bottom barriers looked more like land surface barriers. Mr. Zabaglo said that with low water levels some of the areas did not get wet this year. They expect the areas to be submerged in future years. Ms. Carr asked if the barriers were UV resistant. Mr. Zabaglo confirmed that they are UV resistant.

Referring to the Taylor Tallac Project, Ms. Stahler asked if the expected native plants to naturally recolonize the area at the end of the project, or would there be a project element to help with

restoration/revegetation. Mr. Zabaglo said they wrestle with this issue on any restoration project. He said that there was no real evidence to show a lot of aquatic plants in the creek portions, and in the marsh areas the plants are more terrestrial, wetland environment type species such as willows, that recover quite well. They expect the ecosystem to restore itself based on observations from similar projects.

Public Comments & Questions

None.

The item was informational only.

V. PUBLIC HEARINGS

B. Public Safety Piers Update

TRPA staff Mr. Stock provided the presentation.

Presentation can be found at:

[Agenda Item. V.B. Public Safety Piers Update](#)

Mr. Stock explained that the planning process looked at locations for dedicated public safety facilities serving first responders on Lake Tahoe. This was a collaborative effort involving TRPA staff, and partners from around the basin. The planning process and results were defined by a working group of first responders that operate around the lake, and included representatives from Sheriff's Offices, Fire Protection Districts, State Agencies, and a member of the Advisory Planning Commission, Steve Teshara. Once potential locations were identified, outreach to relevant landowners began.

Mr. Stock questioned, why a planning process for public safety facilities on the shoreline? He said that the plan is part of TRPA efforts to implement the 2018 Shoreline Plan, which identifies the need for regionally distributed, dedicated facilities, for public safety agencies to respond to emergencies on Lake Tahoe. The code also allows for some exceptions from design requirements for public safety piers and other shoreline safety structures. Mr. Stock said they are now looking at taking the next step in implementing these elements of the plan and code.

Mr. Stock said there is a very clear need for these facilities. With the exception of the coastguard, first responders are mooring their vessels at rented or leased piers that are not designed to accommodate them. These informal moorings can impact response times and make safety vessels more vulnerable to damage.

Mr. Stock added that this planning process also plugs into regional efforts to adapt to climate change. We are now increasing vulnerable to extreme weather, including storms and drought,

which creates risks for both those enjoying the lake, and for the first responders who are tasked with keeping everyone safe.

One of the things the working group focused on was making sure that public safety vessels could access water quickly during drought conditions, so in particular the group focused on ensuring access to elevation 6219, which is considered the navigable depth of the lake during low water conditions.

This plan focuses on ensuring that first responders can continue to respond effectively to emergencies into the future. The group focused on identifying the best locations for public safety facilities, on understanding the location and infrastructure needs, and on developing a plan to guide implementation into the future. To achieve all of this, the group developed criteria for analyzing potential sites. They identified potential locations and needs for public safety facilities, and looked at considerations for facility development including regulations and partnerships for shared facilities.

As previously mentioned, apart from the coastguard's facility in Tahoe City, current moorings are not formally designed for public safety. This can impact mobilization in an emergency and in low water conditions, and can also make vessels vulnerable to damage from storms. Mr. Stock provided a couple of examples:

- Both South Lake Tahoe and El Dorado County agencies operate from the Tahoe Keys Marina. This concentration in the Keys means that agencies are not optimally distributed to respond to emergencies on the south shore. In addition, navigation through the Tahoe Keys can slow response times.
- In Douglas County, the Tahoe Douglas Fire Protection District's boat, Marine 24, was severely damaged in a storm last winter. The boat was moored at a pier that was not designed for public safety, and left the boat vulnerable to storm surge damage.

Mr. Stock summed up that given these issues, it is clear that first responders need dedicated facilities on the lake.

Mr. Stock said the working group held their first kick-off meeting in early March 2022, to define the goals and objectives of the process. A workshop meeting in late March 2022 identified evaluation criteria and potential safety facility locations for further analysis. In April 2022, TRPA staff analyzed potential locations based on the criteria. In April/May 2022 small groups representing each of the participating quadrant areas, met to review the analysis and rank the preferred locations. At a second workshop in May 2022 the working group discussed facility needs and key considerations for each of the preferred locations. In June/July 2022 TRPA staff and the working group collaborated on the development of a draft action plan. Following this APC presentation, a similar presentation will go before the TRPA Governing Board in October 2022.



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Mr. Stock said that finding preferred locations was both an art and a science. The evaluation (science) criteria, included:

- site availability
- ownership
- environmental and scenic sensitivity
- response time to key locations on the lake
- protection during storm conditions
- existing infrastructure
- land access
- access to navigable water

Probably more important than the science, was the 'art' piece – the special knowledge and relationships that working group members brought to the table. When combined, the following preferred locations were identified.

Mr. Stock began with the City of South Lake Tahoe preferred site. Mr. Stock said that response on the lake is highly collaborative, and does not involve the same jurisdictional boundaries that we are used to on land. Generally speaking, the City of South Lake Tahoe Fire Rescue and Police Departments are the primary agencies tasked with public safety on the lake, within the city. The group selected Ski Run Marina as the preferred location. The marina is centrally located and importantly, has a deep channel that is maintained with dredging, which keeps it accessible in drought conditions. A safety facility at Ski Run Marina would likely require a new pier, but it could be a shorter pier due to improved access from maintenance dredging. Early in the process, the working group engaged with the marina owner, Mansoor Alyeshmerni, who is supportive of continued consideration of the site.

Looking at the rest of El Dorado County, Mr. Stock said there were very few options, due mainly to the limited access to deep water across the south shore. The El Dorado County Sheriff's Office and Lake Valley Fire Protection District landed on Camp Richardson as their preferred location. The location is close to the highest volume of emergency calls in the area (Emerald Bay and Camp Richardson itself), and the existing pier is sufficiently long to access navigable water. The working group engaged with the marina owner, Bob Hassett, and he is supportive of continued consideration of the site.

Moving to Placer County, Mr. Stock advised that the Placer County Sheriff's Office, North Tahoe Fire Protection District, and the California Department of Fish & Wildlife, identified the Tahoe State Recreation Area as their preferred site. This is an existing publicly owned pier, centrally located on Placer County's shoreline. The pier will require some renovation, and modification to the parcel will be needed for emergency vehicle access.

Douglas County have been meeting independently to plan an addition to Zephyr Cove Pier for public safety agencies. The group includes the Douglas County Sheriff's Office, Tahoe-Douglas Fire Protection District, Douglas County Search and Rescue, Nevada Department of Wildlife, and the pier owner, United States Forest Service. This group have kept the wider working group involved and informed, and helped other jurisdictions as they move through the process. The Douglas County first responders are moving forward with environmental analysis, and have a target date for construction completion of Spring 2024.

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Mr. Stock pointed out that there was no map location identified for Washoe County. He said that Washoe County have looked at several potential locations but have not yet landed on a preferred location.

In outlining the next steps, Mr. Stock highlighted that each group is in a slightly different place along the path. Broadly speaking, after identifying preferred locations, agencies are ready to formalize partnerships around a shared facility. In every case, the facility will be shared by multiple first responder agencies. Then they will seek initial funding for planning and design. After securing funding and design, the groups will begin the permitting process. When a permit is secured, agencies will be ready to being implementation of the facilities.

Mr. Stock closed by reminding APC members of the [storymap](#) link for this presentation.

#### Commission Comments & Questions

Ms. Simon said that the initial agenda appeared to show that Burnt Cedar Beach in Incline Village was identified as a potential site. She said she was aware there are problems with that site. She asked who the Washoe County first responders are, and where they are in the process. Mr. Stock said that the first responders for Washoe County include the Washoe County Sheriff's Office and the North Lake Tahoe Fire Protection District. The Nevada Department of Wildlife, and the Nevada Division of State Land have also been involved in the process. Mr. Stock advised that Washoe County have identified a number of facilities, including Burnt Cedar Beach, and they intend to continue talks with the Burnt Cedar owners, Incline Village General Improvement District (IVGID), before they identify the site as a preferred location.

Fire Chief Ryan Sommers, North Lake Tahoe Fire Protection District (NLTFPD), thanked Mr. Stock for the presentation, and confirmed that the NLTFPD would like to continue talks with IVGID. Everyone has been extremely busy with fire season the Washoe County first responders would like to involve IVGID more fully in the process before coming back with a recommendation.

Ms. Simon asked Fire Chief Sommers if they had considered the Hyatt Pier. Chief Sommers responded that there has been discussion about that, and he has questions to discuss offline with TRPA staff. To speak frankly, he said that the Hyatt have been a great partner with the use of the pier in getting patients, or law enforcement persons-in-custody off the water. He added that he that he does not like to use the Hyatt and offered an example whereby a severely injured patient was brought off the pier and transported directly through a wedding event that was taking place on the pier. That did not sit well with him, and would not sit well in the future. The Hyatt is great ingress/egress, but it is not a great place to house first responder boats. Chief Sommers added that their boat is currently moored at the Sand Harbor dock, and has already received damage this year.

Ms. Simon said that the community members she has spoken with do not seem in favor of building a pier at Burnt Cedar Beach. Chief Sommers responded that the only people he has heard from do not seem in favor, and that is why they have chosen to continue the talks.

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Mr. Guevin (APC Member and Tahoe Douglas Fire Protection District Division Chief/Fire Marshall) thanked Mr. Stock for his presentation. He said it was good to have ongoing talks and that the shared use nature of these piers is key to the sustainability and success. He added that while nobody wants to see more and more piers on the lake, they are important for public safety. Mr. Guevin said ingress/egress is also critical, so dredging is something that needs to be considered in the planning phase. He said that we also need to be talking about connection points to communities to provide water, and that should also be considered as part of the plan. As for the timeline, Mr. Guevin said it is important to do whatever can be done to expedite the process.

Regarding the shared use of pier facilities, and in reference to Chief Sommers example at the Hyatt, Ms. Jacobsen said there could be similar conflicts at Camp Richardson, where people in distress are being transported through many recreational visitors.

Ms. Jacobsen also asked if staff could speak to some of the improvements that might be needed on the piers (dredging, expansion, boat/public protection), and to potential funding sources. Are we talking about partnerships to help fund improvements?

As far as improvements, Mr. Stock he could only speak at the high level since they are so early in the process. There is still a considerable amount of planning, public involvement, and other agency involvement that needs to take place. But generally speaking, the working group talked about adding boat slips to accommodate the vessels, adding an L-shaped armor extension to the ends of piers, other storm surge mitigation, and dredging.

Regarding funding, Mr. Stock said they had talked about shared funding amongst the agencies. He said the El Dorado County Sheriff's Office had mentioned reaching out to their Board of Supervisors for planning/design funding. Again, the discussions so far have been at a high level.

Mr. Guevin said that the most reasonable options, with the least impacts to the environment and communities, are to use existing infrastructure, that can be improved to make it fit for purpose. He added that some of these improvements may require the relocation of boulders etc., for access, but that they are also looking at lifts to move vessels out of the water with less scenic impacts.

Regarding the use of piers that are also used for recreational activities, Mr. Guevin said that many of these emergencies are directly related to those recreational activities. He said that like an accident on a Highway, it is unfortunate and undesirable for other users, but it is the best way to utilize existing facilities.

Mr. Teshara said that through his company, Sustainable Community Advocates, he has a working relationship with fire districts and departments around the lake, and has worked to move the process along. He stressed that while people might not like the scenic impacts, this is incredibly important process. It is complicated, but in an emergency, people need immediate help and response. Mr. Teshara commended TRPA, and said that when the Shoreline Plan was

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being developed, TRPA stated up front, that at least one dedicated public safety pier was needed in each jurisdiction around the lake. Understandably, the agency then got caught up in the adoption of the rest of the Shoreline Plan. Here, TRPA has made the decision to come back to help the first responders and other agencies by working alongside them in the planning process so that this can actually happen.

Mr. Ferry reminded TRPA staff and the working group to include/involve other local jurisdiction departments, in addition to the Sheriff's Departments, as the process moves forward. They would be happy to help with traffic studies etc. as needed.

### Public Comments & Questions

Mr. Carl Hasty, District Manager for the Tahoe Transportation District (TTD), commended the efforts being undertaken. On behalf of the transportation side, he said they were being asked to deal with situations that include resilience for cataclysmic climate events. One of the areas they are re-visiting is a cross-lake passenger ferry as an extension of the transit network, essentially using the lake as an extension of the highway network. Most recently, they are considering whether a passenger ferry system could be a part of the evacuation component for the basin. Terminus locations under consideration include Ski Run Marina, Tahoe City and Kings Beach. Mr. Hasty said he is mentioning this in anticipation that there might be some synergy between the safety pier improvement efforts and emergency transportation operations.

The item was informational only.

## VI. REPORTS

### A. Executive Director

Mr. Hester provided a brief update on past actions from the Advisory Planning Commission (APC). On May 11, 2022, the APC recommended Shoreline Code Amendments which the TRPA Governing Board have since approved.

Mr. Hester advised that the TRPA replace the quarterly report with a forward-looking monthly report. That report is included on Page 35 of the APC Packet and focuses on the six TRPA initiatives. Two of the initiatives are being led by APC members. The report also includes other information about upcoming projects. Mr. Hester offered kudos to Ms. McNamara who has pivoted focus to the monthly reports, and invited APC members to contact her directly with any items they think should be considered for inclusion.

Looking ahead to upcoming topics, Mr. Hester advised that APC members will be invited to attend a field trip to the Upper Truckee River Restoration and Golf Course Reconfiguration Project for the October meeting, in advance of an upcoming agenda item for the projects environmental documents.

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Other upcoming topics include items on plans and ethics, open meeting law, and three area plan amendments.

### Commission Comments & Questions

Referring to comments made by Mr. Drew at the May 11, 2022 APC meeting regarding VMT and the Mobility Mitigation Fee, and seeing the challenges that certain projects are having with that fee as a barrier, Mr. Teshara said that he hoped could be addressed as part of the Transportation Performance Technical Advisory Committee initiative. As a member of that committee, he said they are continuing to track with the way the code is set-up, but asked if this is an issue that could be brought to the committee.

Mr. Hester responded that he has already spoken with staff who will contact Mr. Teshara directly on the best way to follow up.

### B. General Counsel

Mr. Marshall advised of a recent Nevada Supreme Court opinion that tangentially affects TRPA and may be interesting to local government representatives. The Nevada Supreme Court recently decided that a local, within the Tahoe Basin, CC&Rs that precluded commercial use in a neighborhood did not preclude short-term rentals as a result of the CC&Rs, under Nevada Law. So, unless the short-term rentals are expressly excluded in CC&Rs for local governments within the basin there isn't anything in CC&Rs that would preclude vacation rentals if the CC&Rs just say no commercial use. If it says residential use only, that will still allow vacation rentals.

Mr. Marshall advised that ongoing litigation continues with the existing Eisenstecken et al v. TRPA lawsuit over the Ski Run Cell Tower case and motions to dismiss.

Mr. Marshall advised that TRPA are briefing and will be having oral argument in the Garmong Cell Tower case at the ninth circuit.

Mr. Marshall advised that TRPA have been dismissed out of the Round Hill Pines litigation, brought by neighbors to the Round Hill Pines Project.

Mr. Marshall invited APC members to contact him directly with any questions or requests for further information.

### Commission Comments & Questions

Regarding the Nevada Supreme Court opinion, Ms. Simon asked if that was brought as a result of legislation that applied only to Clark County. Mr. Marshall responded no, it was a GID or CC&R in the Tahoe Basin and did not concern Las Vegas.

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Mr. Guevin asked where the Garmong case cell tower is located. Mr. Marshall responded that it is located at Skyline, across from Skyland. He added that the case has been dismissed multiple times and is now back to the ninth circuit for dismissal on a variety of grounds. Oral argument is scheduled for October 21, 2022.

### C. APC Member Reports

Mr. Hitchcock said the City of South Lake Tahoe recently had a groundbreaking ceremony for the new Recreation Center

Mr. Guevin said that they are seeing a post-COVID surge in wedding and events. The biggest impacts are being seen in pavement parking, and the biggest push is to eliminate parking on roadways around the lake. Mr. Guevin has public safety concerns and is hoping for a review on options for parking.

Mr. Guevin advised that said the 2022 Fire Fest event for public safety and awareness will take place on October 1, 2022, at the Hard Rock Hotel & Casino Lake Tahoe.

Mr. Guevin said that the Tahoe Douglas Fire Protection District are still working on the Helicopter program and are currently looking at funding options.

In reference to public safety, Mr. Drew said his family are active non-motorized users on the lake and he expressed disappointment at how little is being done to support and encourage non-motorized lake recreation. He said it extremely difficult to find places to access and launch, and is also unsafe because launch facilities are often right alongside motorized craft launch.

Mr. Drew said that between him and his wife, they have been almost hit 4-5 times just trying to paddle in and near the mouth of Emerald Bay. He said that there has been a lot of talk about non-motorized lake recreation over the past decade, but our actions have fallen short. In many places it costs the same amount to cost a kayak as a motorboat, and we haven't done things to make it fun and safe for people to be on non-motorized craft on the lake. He is seeing more boats, earlier in the day, and closer to the shore. Mr. Drew said that if non-motorized recreation helps us achieve thresholds and is something that we want to see, we must rethink how we support, encourage and incentive non-motorized recreationists.

Mr. Young advised that he will have a new alternate, Courtney Weiche, Washoe County Senior Planner.

Mr. Young commented that even though Joanne Marchetta is not here, her legacy was evident at today's meeting. In both of the staff presentations, regional coordination and collaboration, and the requirement for partnership was highlighted as critical to the success of these initiatives. In his mind, that is Joanne's legacy – it will be with us for a and he appreciated seeing it in today's staff presentations.

Ms. Drake agreed with Mr. Drew and said he has similar observations regarding the issues

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around non-motorized craft.

Mr. Drake agreed with Mr. Teshara's comments about the revisiting the Mobility Mitigation Fee. He said his personal experience working through the process has been disenchanting. He fully agrees that it needs to be revisited, and will contact Mr. Teshara offline.

Mr. Drake thanked Mr. Guevin for his comments about the public safety component of parking. He said he is a huge proponent of embracing technology and modernizing the parking system around the lake. They are doing exciting things in Kings Beach to roll out a progressive parking program. Public safety is yet another reason we need to tackle this issue.

Mr. Drake informed that [Truckee River Day](#) will take place on Sunday October 16, 2022. Mr. Drake said this is an incredible volunteer event with lots of great hands-on restoration projects.

Mr. Drake asked for an update on the Executive Director search process. Mr. Hester advised that executive search firm, the Prothman Recruitment Company were hired following an RFP process. The TRPA Governing Board appointed an ad hoc search committee with five GB members and one staff member. The application deadline was September 12<sup>th</sup> and Prothman will present their recommendations to the Ad Hoc Committee at an upcoming meeting. Details are yet to be finalized, but Mr. Hester expects that next steps will include setting up two internal and external panels, and a social event to meet the candidates before the Governing Board conducts their interviews. He anticipates this will take place in late October 2022.

Ms. Moroles-O'Neil said this had been an informative first meeting and thanked the presenters. She empathizes with the issues of non-motorized recreation, and agrees we need to find better solutions.

Ms. Jacobsen said the county is currently dealing with the Mosquito Fire and have a number of staff who have been impacted.

Ms. Jacobsen advised that on September 13, 2022, the Placer County Board of Supervisors rescinded the Martis Valley West Specific Plan approvals. The plans were approved in 2017. Following subsequent litigation and appeal, Placer County were ordered to rescind the approval. Ms. Jacobsen advised of a similar situation with the Village at Palisades Specific Plan which will go for board consideration in fall 2022.

Ms. Jacobsen said they have a package of Tahoe Basin Area Plan amendments that will be presented to the Placer County Planning Commission meeting on September 22, 2022. Julie Regan will also present at the meeting to provide an overview of TRPA.

Ms. Jacobsen reminded the commission that Placer County established a numerical cap on short term rental (STR) permits of 3,900. They are currently hovering around 3,100. They have formed an STR stakeholder group to look at potential adjustments to the program (monitoring and enforcement etc.).

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As a long distance, open water swimmer, Ms. Carr echoed Mr. Drews comments about non-motorized recreation. She takes several precautions by going out early, wearing a bright yellow cap and pulling a bright orange safety buoy, but still has trouble feeling secure. She would appreciate any discussion or work in that area.

Mr. Ferry said El Dorado County are also dealing with the Mosquito Fire, with a number of staff severely impacted. He offered

Mr. Ferry advised that two retail cannabis facilities recently received approval from the El Dorado County Planning Commission. One will be located in Meyers at the old Atalitude Fitness Building, and the second will be located on Highway 50, next to American Gas.

VII. PUBLIC COMMENT

None.

VIII. ADJOURNMENT

Mr. Drew moved to adjourn.

Chair Ferry adjourned the meeting at 11:46 a.m.

Respectfully Submitted,



Tracy Campbell  
Clerk to the Advisory Planning Commission

*The above meeting was recorded in its entirety. Anyone wishing to listen to the tapes of the above mentioned meeting may call for an appointment at (775) 588-4547. In addition, written documents submitted at the meeting are available for review*