

TAHOE REGIONAL PLANNING AGENCY
ORDINANCE 2024 – 03

AN ORDINANCE AMENDING AND ORDINANCE 2019-03, AS AMENDED,
TO AMEND THE THRESHOLD STANDARDS

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

Section 1.0 **Findings**

- 1.10 The Tahoe Regional Planning Compact (P. L. 96-551, 94 Stat. 3233, 1980) created the Tahoe Regional Planning Agency (TRPA) and empowered it to set environmental threshold carrying capacities (“threshold standards”) for the Tahoe Region.
- 1.15 The Compact directs TRPA to adopt and enforce a Regional Plan that, as implemented through agency ordinances, rules, and regulations, will achieve and maintain such threshold standards while providing opportunities for orderly growth and development consistent with such thresholds.
- 1.20 Compact Art. V(c) states that the TRPA Governing Board and Advisory Planning Commission shall continuously review and maintain the Regional Plan.
- 1.25 In June 1987, the TRPA Governing Board adopted Ordinance 87-9, which established the Regional Plan and included, amongst other things, the Goals & Policies and the Code of Ordinances (“Code”).
- 1.30 In April 2019, the TRPA Governing Board adopted Ordinance 2019-03, superseding portions of Ordinance 87-9 by collocating the environmental threshold standards with the Regional Plan Goals and Policies.
- 1.35 It is necessary and desirable to amend the environmental threshold standards to reflect the best available science and guidance from the Tahoe Science Advisory Council.
- 1.40 Prior to the adoption of these amendments, the Governing Board made the findings required by TRPA Code of Ordinances Section 4.5, and Article V(g) of the Compact. TRPA has made the necessary findings required by Article V of the Compact, Chapter 4 of the Code, and all other applicable rules and regulations, and incorporates these findings fully herein.
- 1.45 The proposed amendments to the threshold standards were the subject of an Initial Environmental Checklist (IEC), which was processed in accordance with Chapter 3: *Environmental Documentation* of the TRPA Code of Ordinances and Article VI of the Rules of Procedure. The Tahoe Basin Area Plan amendments have been determined not to have a significant effect on the environment and are therefore exempt from the requirement of an Environmental Impact Statement (EIS) pursuant to Article VII of the Compact.
- 1.50 The Advisory Planning Commission (APC) and the Governing Board have each

conducted a noticed public hearing on the proposed amendments to the threshold standards. The APC has recommended Governing Board adoption of the necessary findings and adopting ordinance. At these hearings, oral testimony and documentary evidence were received and considered.

1.55 Each of the foregoing findings is supported by substantial evidence in the record.

Section 2.0 **Amendment of the TRPA Regional Plan Goals and Policies**

2.10 Ordinance 2019-03, as previously amended, is hereby amended as shown in Exhibit 1.

Section 3.0 **Interpretation and Severability**

3.10 The provisions of this ordinance amending the TRPA Code of Ordinances adopted hereby shall be liberally construed to affect their purposes. If any section, clause, provision or portion thereof is declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance and the amendments to the Regional Plan Package shall not be affected thereby. For this purpose, the provisions of this ordinance and the amendments to the Regional Plan Package are hereby declared respectively severable.

Section 4.0 **Effective Date**

4.10 This ordinance shall be effective after its adoption.

PASSED AND ADOPTED by the Governing Board of the Tahoe Regional Planning Agency at a regular meeting held on May 22, 2024 by the following vote:

Ayes: Ms. Aldean, Mr. Aguilar, Ms. Diss, Ms. Faustinos, Ms. Gustafson, Ms. Hill, Mr. Hoenigman, Ms. Laine, Ms. Leumer, Mr. Rice, Mr. Settelmeyer, Ms. Williamson

Absent: Mr. Bass, Ms. Conrad-Saydah



Cindy Gustafson / Chair
Tahoe Regional Planning Agency
Governing Board

Exhibit 1

Proposed Environmental Threshold Carrying Capacities

THRESHOLD STANDARDS

Threshold standards establish the Environmental Improvement Program partners' shared goals for restoration and maintenance of the qualities of the Tahoe Region.

The adopted current threshold standards are stated below. The agency will maintain and update online inventories of the administrative status and disposition of each threshold standard.

WATER QUALITY

DEEP WATER (PELAGIC) LAKE TAHOE

NUMERICAL STANDARDS

- WQ1) The annual average deep water transparency as measured by Secchi disk shall not be decreased below 29.7 meters (97.4 feet), the average levels recorded between 1967 and 1971 by the University of California, Davis.
- WQ2) Maintain annual mean phytoplankton primary productivity at or below 52gmC/m²/yr.

LITTORAL LAKE TAHOE

NUMERICAL STANDARDS

- WQ3) Attain turbidity values not to exceed three NTU.
- WQ4) Turbidity shall not exceed one NTU in shallow waters of the Lake not directly influenced by stream discharges.
- WQ5) Attain 1967-71 mean values for phytoplankton primary productivity in the littoral zone.
- WQ6) Attain 1967-71 mean values for periphyton biomass in the littoral zone.

MANAGEMENT STANDARD

- WQ7) Support actions to reduce the extent and distribution of excessive periphyton (attached) algae in the nearshore (littoral zone) of Lake Tahoe.

AQUATIC INVASIVE SPECIES

MANAGEMENT STANDARDS

- WQ8) Prevent the introduction of new aquatic invasive species into the region's waters.
- ~~WQ9) Reduce the abundance of known aquatic invasive species.~~
- ~~WQ10) Reduce the distribution of known aquatic invasive species.~~
- ~~WQ11) Abate harmful ecological impacts resulting from aquatic invasive species.~~
- ~~WQ12) Abate harmful economic impacts resulting from aquatic invasive species.~~
- ~~WQ13) Abate harmful social impacts resulting from aquatic invasive species.~~
- ~~WQ14) Abate harmful public health impacts resulting from aquatic invasive species.~~
- WQ9) No active aquatic invasive plant infestations in Lake Tahoe, adjacent wetlands, and tributaries, not including the Tahoe Keys.
- WQ10) Reduce average aquatic invasive plant abundance in the Tahoe Keys by a minimum of 75% from the 2020 baseline year.

TRIBUTARIES

NUMERICAL STANDARDS

- WQ15) Attain applicable state standards for concentrations of dissolved inorganic nitrogen.
- WQ16) Attain applicable state standards for concentrations of dissolved phosphorus.
- WQ17) Attain applicable state standards for dissolved iron.
- WQ18) Attain a 90 percentile value for suspended sediment concentration of 60 mg/1.

SURFACE RUNOFF

NUMERICAL STANDARDS

- WQ19) Achieve a 90 percentile concentration value for dissolved inorganic nitrogen of 0.5 mg/1 in surface runoff directly discharged to a surface water body in the Basin.
- WQ20) Achieve a 90 percentile concentration value for dissolved phosphorus of 0.1 mg/1 in surface runoff directly discharged to a surface water body in the Basin.
- WQ21) Achieve a 90 percentile concentration value for dissolved iron of 0.5 mg/1 in surface runoff directly discharged to a surface water body in the Basin.
- WQ22) Achieve a 90 percentile concentration value for suspended sediment of 250 mg/1 in surface runoff directly discharged to a surface water body in the Basin.

GROUNDWATER

MANAGEMENT STANDARDS

- WQ23 - WQ32) Surface runoff infiltration into the groundwater shall comply with the uniform Regional Runoff Quality Guidelines as set forth in Table 4-12 of the Draft Environmental Threshold Carrying Capacity Study Report, May, 1982. Where there is a direct and immediate hydraulic connection between ground and surface waters, discharges to groundwater shall meet the guidelines for surface discharges, and the Uniform Regional Runoff Quality Guide lines shall be amended accordingly.¹

OTHER LAKES

NUMERICAL STANDARD

- WQ33) Attain existing water quality standards.

LOAD REDUCTIONS

MANAGEMENT STANDARDS

- WQ34) Reduce fine sediment particle (inorganic particle size < 16 micrometers in diameter) load to achieve long-term pelagic water quality standards (WQ1 and WQ2).
- WQ35) Reduce total annual phosphorus load to achieve long-term pelagic water quality standards (WQ1 and WQ2) and littoral quality standards (WQ5 and WQ6).
- WQ36) Reduce total annual nitrogen load to achieve long-term pelagic water quality standards (WQ1 and WQ2) and littoral quality standards (WQ5 and WQ6).
- WQ37) Decrease total annual suspended sediment load to achieve littoral turbidity standards (WQ3 and WQ4).
- WQ38) Reduce the loading of dissolved phosphorus to achieve pelagic water standards (WQ1 and WQ2) and littoral quality standards (WQ5 and WQ6).

¹ See attachment A

- WQ39) Reduce the loading of iron to achieve pelagic water standards (WQ1 and WQ2) and littoral quality standards (WQ5 and WQ6).
- WQ40) Reduce the loading of other algal nutrients to achieve pelagic water standards (WQ1 and WQ2) and littoral quality standards (WQ5 and WQ6).
- WQ41) The most stringent of the three dissolved inorganic nitrogen load reduction targets shall apply:
- i. Reduce dissolved inorganic nitrogen loads to pelagic and littoral Lake Tahoe from²:
 - a) surface runoff by approximately 50 percent of the 1973-81 annual average,
 - b) groundwater approximately 30 percent of the 1973-81 annual average, and
 - c) atmospheric sources approximately 20 percent of the 1973-81 annual average.
 - ii. Reduce dissolved inorganic nitrogen loading to Lake Tahoe from all sources by 25 percent of the 1973-81 annual average.
 - iii. To achieve littoral water quality standards (WQ5 and WQ6).

SOIL CONSERVATION

IMPERVIOUS COVER

MANAGEMENT STANDARDS

SC1-SC9) Impervious cover shall comply with the Land-Capability Classification of the Lake Tahoe Basin, California-Nevada, A Guide For Planning, Bailey, 1974³.

STREAM ENVIRONMENT ZONES

NUMERICAL STANDARDS

SC10) Preserve existing naturally functioning SEZ lands in their natural hydrologic condition.

SC11) Enhance the quality and function of meadows and wetlands from 79% to a minimum of 88% of the regional possible SEZ condition index score ~~Restore all disturbed SEZ lands in undeveloped, unsubdivided lands.~~

~~SC12) Restore 25 percent of the SEZ lands that have been identified as disturbed, developed or subdivided.~~

~~SC13) Attain a 5 percent total increase in the area of naturally functioning SEZ lands.~~

AIR QUALITY

CARBON MONOXIDE

NUMERICAL STANDARD

AQ1) Maintain carbon monoxide concentrations at or below 6 parts per million (7 mg/m³) averaged over 8 hours.

² This threshold relies on predicted reductions in pollutant loadings from out-of-basin sources as part of the total pollutant loading reduction necessary to attain environmental standards, even though the Agency has no direct control over out-of-basin sources. The cooperation of the states of California and Nevada will be required to control sources of air pollution which contribute nitrogen loadings to the Lake Tahoe Region

³ See attachment B

MANAGEMENT STANDARD

- AQ2) Reduce traffic volumes on the U.S. 50 Corridor by 7 percent during the winter from the 1981 base year between 4:00 p.m. and 12:00 midnight, provided that those traffic volumes shall be amended as necessary to meet the respective state standards.

OZONE

NUMERICAL STANDARDS

- AQ3) Maintain ozone concentrations at or below 0.08 parts per million averaged over 1 hour.
AQ4) Maintain oxides of nitrogen (NO_x) emissions at or below the 1981 level.

REGIONAL VISIBILITY⁴

NUMERICAL STANDARDS

- AQ5) Achieve an extinction coefficient of 25 Mm⁻¹ at least 50 percent of the time as calculated from aerosol species concentrations measured at the Bliss State Park monitoring site (visual range of 156 kilometer, 97 miles).
AQ6) Achieve an extinction coefficient of 34 Mm⁻¹ at least 90 percent of the time as calculated from aerosol species concentrations measured at the Bliss State Park monitoring site (visual range of 115 kilometers, 71 miles).

SUBREGIONAL VISIBILITY⁵

NUMERICAL STANDARDS

- AQ7) Achieve an extinction coefficient of 50 Mm⁻¹ at least 50 percent of the time as calculated from aerosol species concentrations measured at the South Lake Tahoe monitoring site (visual range of 78 kilometers, 48 miles).
AQ8) Achieve an extinction coefficient of 125 Mm⁻¹ at least 90 percent of the time as calculated from aerosol species concentrations measured at the South Lake Tahoe monitoring site (visual range of 31 kilometers, 19 miles).

RESPIRABLE AND FINE PARTICULATE MATTER

NUMERICAL STANDARDS

- AQ9) Particulate Matter₁₀ 24-hour Standard: Maintain Particulate Matter₁₀ at or below 50µg/m³ measured over a 24-hour period in the portion of the Region within California, and maintain Particulate Matter₁₀ at or below 150 µg/m³ measured over a 24-hour period in the portion of the Region within Nevada. Particulate Matter₁₀ measurements shall be made using gravimetric or beta attenuation methods or any equivalent procedure which can be shown to provide equivalent results at or near the level of air quality standard.
AQ10) Particulate Matter₁₀ Annual Arithmetic Average - Maintain Particulate Matter₁₀ at or below annual arithmetic average of 20µg/m³ in the portion of the Region within California, and maintain Particulate Matter₁₀ at or below annual arithmetic average of 50µg/m³ in the portion of the Region within Nevada. Particulate Matter₁₀ measurements shall be made

⁴ Amended 03/22/00. Calculations will be made on three year running periods. Beginning with the existing 1991-93 monitoring data as the performance standards to be met or exceeded.

⁵ Amended 03/22/00. Calculations will be made on three year running periods. Beginning with the existing 1991-93 monitoring data as the performance standards to be met or exceeded.

using gravimetric or beta attenuation methods or any equivalent procedure which can be shown to provide equivalent results at or near the level of air quality standard.

- AQ11) Particulate Matter_{2.5} 24-hour Standard - Maintain Particulate Matter_{2.5} at or below 35µg/m³ measured over a 24-hour period using gravimetric or beta attenuation methods or any equivalent procedure which can be shown to provide equivalent results at or near the level of air quality standard.
- AQ12) Particulate Matter_{2.5} Annual Arithmetic Average - Maintain Particulate Matter_{2.5} at or below annual arithmetic average of 12µg/m³ in the portion of the Region within California and maintain Particulate Matter_{2.5} at or below annual arithmetic average of 15µg/m³ in the portion of the Region within Nevada. Particulate Matter_{2.5} measurements shall be made using gravimetric or beta attenuation methods or any equivalent procedure which can be shown to provide equivalent results at or near the level of air quality standard.

NITRATE DEPOSITION

MANAGEMENT STANDARDS

- AQ13) Reduce the transport of nitrates into the Basin and reduce oxides of nitrogen (NOx) produced in the Basin consistent with the water quality thresholds.

TRANSPORTATION AND SUSTAINABLE COMMUNITIES

- TSC1) Reduce Annual Daily Average VMT Per Capita by 6.8% from 12.48, the 2018 baseline, to 11.63 in 2045.

VEGETATION PRESERVATION

COMMON VEGETATION

MANAGEMENT STANDARDS

- VP1) A non-degradation standard shall apply to native deciduous trees, wetlands, and meadows to preserve plant communities and significant wildlife habitat, while providing for opportunities to increase the acreage of such riparian associations to be consistent with the SEZ threshold.
- VP2) Increase plant and structural diversity of forest communities through appropriate management practices as measured by diversity indices of species richness, relative abundance, and pattern.
- VP3) Maintain the existing species richness of the Basin by providing for the perpetuation of the following plant associations:
Yellow Pine Forest: Jeffrey pine, White fir, Incense cedar, Sugar pine.
Red Fir Forest: Red fir, Jeffrey pine, Lodgepole pine, Western white pine, Mountain hemlock, Western juniper.
Subalpine Forest: Whitebark pine, Mountain hemlock, Mountain mahogany.
Shrub Association: Greenleaf and Pinemat manzanita, Tobacco brush, Sierra chinquapin, Huckleberry oak, Mountain whitethorn.
Sagebrush Scrub Vegetation: Basin sagebrush, Bitterbrush, Douglas chaenactis.

Deciduous Riparian: Quaking aspen, Mountain alder, Black cotton-wood, Willow.
Meadow Associations (Wet and Dry Meadow): Mountain squirrel tail, Alpine gentian, Whorled penstemon, Asters, Fescues, Mountain brome, Corn lilies, Mountain bentgrass, Hairgrass, Marsh marigold, Elephant heads, Tinker's penney, Mountain Timothy, Sedges, Rushes, Buttercups.

Wetland Associations (Marsh Vegetation): Pond lilies, Buckbean, Mare's tail, Pondweed, Common bladderwort, Bottle sedge, Common spikerush.

Cushion Plant Association (Alpine Scrub): Alpine phlox, Dwarf ragwort, Draba.

- VP4) Relative Abundance - Of the total amount of undisturbed vegetation in the Tahoe Basin: Maintain at least four percent meadow and wetland vegetation.
- VP5) Relative Abundance - Of the total amount of undisturbed vegetation in the Tahoe Basin: Maintain at least four percent deciduous riparian vegetation.
- VP6) Relative Abundance - Of the total amount of undisturbed vegetation in the Tahoe Basin: Maintain no more than 25 percent dominant shrub association vegetation.
- VP7) Relative Abundance - Of the total amount of undisturbed vegetation in the Tahoe Basin: Maintain 15-25 percent of the Yellow Pine Forest in seral stages other than mature.
- VP8) Relative Abundance - Of the total amount of undisturbed vegetation in the Tahoe Basin: Maintain 15-25 percent of the Red Fir Forest in seral stages other than mature.
- VP9) Pattern - Provide for the proper juxtaposition of vegetation communities and age classes by;
1. Limiting acreage size of new forest openings to no more than eight acres
- VP10) Pattern –Provide for the proper juxtaposition of vegetation communities and age classes by;
2. Adjacent openings shall not be of the same relative age class or successional stage to avoid uniformity in stand composition and age.
- VP11) Native vegetation shall be maintained at a maximum level to be consistent with the limits defined in the Land-Capability Classification of the Lake Tahoe Basin, California-Nevada, A Guide For Planning, Bailey, 1974⁶, for allowable impervious cover and permanent site disturbance.

LATE SERAL AND OLD GROWTH FOREST ECOSYSTEMS⁷

NUMERICAL STANDARDS

- VP12) Attain and maintain a minimum percentage of 55 percent by area of forested lands within the Tahoe Region in a late seral or old growth condition, and distributed across elevation zones. Standards VP 13, VP14, and VP15 must be attained to achieve this threshold.
- VP13) 61 percent of the Subalpine zone (greater than 8,500 feet elevation) must be in a late seral or old growth condition. The Subalpine zone will contribute 5 percent (7,600 acres) of forested lands towards VP13.
- VP14) 60 percent of the Upper Montane zone (between 7,000 and 8,500 feet elevation) must be in a late seral or old growth condition. The Upper Montane zone will contribute 30 percent (45,900 acres) of forested lands towards VP13.

⁶ See attachment B

⁷ For standards VP13 - VP16: Forested lands within TRPA designated urban areas are excluded in the calculation for threshold attainment. Areas of the montane zone within 1,250 feet of urban areas may be included in the calculation for threshold attainment if the area is actively being managed for late seral and old growth conditions and has been mapped by TRPA. A maximum value of 40 percent of the lands within 1,250 feet of urban areas may be included in the calculation.

VP15) 48 percent of the Montane zone (lower than 7,000 feet elevation) must be in a late seral or old growth condition; the Montane zone will contribute 20 percent (30,600 acres) of forested lands towards VP13.

UNCOMMON PLANT COMMUNITIES

NUMERICAL STANDARDS

VP16-VP17) Provide for the non-degradation of the natural qualities of any plant community that is uncommon to the Basin or of exceptional scientific, ecological, or scenic value. This threshold shall apply but not be limited to:

- VP16) The deep-water plants of Lake Tahoe.
- VP17) The Freel Peak Cushion Plant community.

SENSITIVE PLANTS

NUMERICAL STANDARDS

Maintain a minimum number of population sites for each of five sensitive plant species.

- VP18) Maintain a minimum of 2 *Lewisia pygmaea longipetala* population sites.
- VP19) Maintain a minimum of 2 *Draba asterophora v. macrocarpa* population sites.
- VP20) Maintain a minimum of 5 *Draba asterophora v. asterophora macrocarpa* population sites.
- VP21) Maintain at least the number of occupied *Rorippa subumbellata* survey sites for each lake level as established in the Table below:

<u>Lake Level (feet of elevation)</u>	<u>Occupied survey sites</u>
<u>Low (<6,225)</u>	<u>35</u>
<u>Transition (6,225- 6,227)</u>	<u>26</u>
<u>High (>6,227)</u>	<u>20</u>

- VP22) Maintain a minimum of 7 *Arabis rigidissima v. demota*e population sites.

WILDLIFE

SPECIAL INTEREST SPECIES

NUMERICAL STANDARDS

Provide a minimum number of population sites and disturbance zones for the following species:

Population sites:

- W1) Provide a minimum of 12 Goshawk population sites.
- W2) Provide a minimum of 4 Osprey population sites.
- W3) Provide a minimum of 2 Bald Eagle (Winter) population sites.
- W4) Provide a minimum of 1 Bald Eagle (Nesting) population sites.
- W5) Provide a minimum of 4 Golden Eagle population sites.
- W6) Provide a minimum of 2 Peregrine population sites.
- W7) Provide a minimum of 18 Waterfowl population sites.

Disturbance Zones:

- W8) Provide disturbance zones in the most suitable 500 acres surrounding nest site including a 0.25 mile buffer centered on nest sites, and influence zones in 3.5 mi for Goshawk.
- W9) Provide 0.25 mi disturbance zones and 0.6 mi influence zones for Osprey.
- W10) Provide disturbance zones in mapped areas and influence zones in mapped areas for Bald Eagle (Winter).
- W11) Provide 0.5 mi disturbance zones and variable influence zones for Bald Eagle (Nesting).
- W12) Provide 0.25 mi disturbance zones and 9.0 mi influence zones for Golden Eagle.
- W13) Provide 0.25 mi disturbance zones and 7.6 mi influence zones for Peregrine.
- W14) Provide disturbance zones in mapped areas and influence zones in mapped areas for Waterfowl.
- W15) Provide disturbance zones in meadows and influence zones in mapped areas for Deer.

FISHERIES

STREAM HABITAT

NUMERICAL STANDARDS

- F1 -F3) As indicated by the Stream Habitat Quality GIS data, amended May 1997, based upon the rerated stream scores set forth in Appendix C-1 of the 1996 Evaluation Report, maintain:
- F1) 75 miles of excellent stream habitat.
 - F2) 105 miles of good stream habitat.
 - F3) 38 miles of marginal stream habitat.

INSTREAM FLOWS

MANAGEMENT STANDARD

- F4) Until instream flow standards are established in the Regional Plan to protect fishery values, a non-degradation standard shall apply to instream flows.

LAKE HABITAT

MANAGEMENT STANDARD

- F7) A non-degradation standard shall apply to fish habitat in Lake Tahoe. Achieve the equivalent of 5,948 total acres of excellent habitat as indicated by the Prime Fish Habitat GIS Layer as may be amended based on best available science.

NOISE

SINGLE NOISE EVENTS

NUMERICAL STANDARDS

The following maximum noise levels are allowed. All values are in decibels.

Aircraft measured 6,500 m-start of takeoff roll 2,000 m-runway threshold approach:

- N1) 80 dBA - between the hours of 8am and 8pm⁸

⁸ The single event noise standard of 80 dBA L_{max} for aircraft departures at Lake Tahoe Airport shall be effective immediately. The single event noise standard of 80 dBA L_{max} for aircraft arrivals at Lake Tahoe Airport is not to be effective until ten years after the adoption of an airport master plan by TRPA. The schedule for phasing in the 80

N2) 77.1 dBA - between the hours of 8pm and 8am

Watercraft:

N3) Pass-By Test - 82 L_{max} -measured 50ft from engine at 3,000rpm.

N4) Shoreline test - 75 L_{max} - measured with microphone 5 ft. above water, 2 ft., above curve of shore, dock or platform. Watercraft in Lake, no minimum distance.

N5) Stationary Test - 88 dBA L_{max} for boats manufactured before January 1, 1993; Microphone 3.3 feet from exhaust outlet - 5 feet above water.

N6) Stationary Test - 90 dBA L_{max} for boats manufactured after January 1, 1993; Microphone 3.3 feet from exhaust outlet - 5 feet above water.

Motor Vehicles Less Than 6,000 GVW:

N7) 76 dBA – Travelling at speeds less than 35 MPH at a monitoring distance of 50ft

N8) 82 dBA – Travelling at speeds greater than 35 MPH at a monitoring distance of 50ft.

Motor Vehicles Greater Than 6,000 GVW:

N9) 82 dBA – Travelling at speeds less than 35 MPH at a monitoring distance of 50ft.

N10) 86 dBA – Travelling at speeds greater than 35 MPH at a monitoring distance of 50ft.

Motorcycles:

N11) 77 dBA – Travelling at speeds less than 35 MPH at a monitoring distance of 50ft.

N12) 86 dBA – Travelling at speeds greater than 35 MPH at a monitoring distance of 50ft.

Off-Road Vehicles:

N13) 72 dBA – Travelling at speeds less than 35 MPH at a monitoring distance of 50ft.

N14) 86 dBA – Travelling at speeds greater than 35 MPH at a monitoring distance of 50ft.

Snowmobiles:

N15) 82 dBA – Travelling at speeds less than 35 MPH at a monitoring distance of 50ft.

CUMULATIVE NOISE EVENTS

NUMERICAL STANDARDS

Background noise levels shall not exceed the following levels:

N16) 55 dBA CNEL (Average Noise Level) in the High Density Residential Areas Land Use Category.

N17) 50 dBA CNEL (Average Noise Level) in the Low Density Residential Areas Land Use Category.

N18) 60 dBA CNEL (Average Noise Level) in the Hotel/Motel Areas Land Use Category.

N19) 60 dBA CNEL (Average Noise Level)) in the Commercial Areas Land Use Category.

N20) 65 dBA CNEL (Average Noise Level) in the Industrial Areas Land Use Category.

N21) 55 dBA CNEL (Average Noise Level) in the Urban Outdoor Recreation Areas Land Use Category.

N22) 50 dBA CNEL (Average Noise Level) in the Rural Outdoor Recreation Areas Land Use Category.

dBa arrival standard shall be based on a review and consideration of the relevant factors, including best available technology and environmental concerns, and shall maximize the reduction in noise impacts caused by aircraft arrivals while allowing for the continuation of general aviation and commercial service. The beginning arrival standard shall not exceed 84 dBA for general aviation and commuter aircraft, and 86 dBA for transport category aircraft.

- N23) 45 dBA CNEL (Average Noise Level) in the Wilderness and Roadless Areas Land Use Category.
N24) 45 dBA CNEL (Average Noise Level) in the Critical Wildlife Habitat Areas Land Use Category.

RECREATION

POLICY STATEMENTS

- R1) It shall be the policy of the TRPA Governing Body in development of the Regional Plan to preserve and enhance the high quality recreational experience including preservation of high-quality undeveloped shorezone and other natural areas. In developing the Regional Plan, the staff and Governing Body shall consider provisions for additional access, where lawful and feasible, to the shorezone and high quality undeveloped areas for low density recreational uses.
- R2) It shall be the policy of the TRPA Governing Body in development of the Regional Plan to establish and ensure a fair share of the total Basin capacity for outdoor recreation is available to the general public.

SCENIC RESOURCES

ROADWAY AND SHORELINE UNITS

NUMERICAL STANDARDS

SR1-SR4) Maintain or improve the numerical rating assigned each unit, including the scenic quality rating of the individual resources within each unit, as recorded in the Scenic Resources Inventory and shown in:

- SR1) Table 13-3 of the Draft Study Report⁹.
SR2) Table 13-5 of the Draft Study Report¹⁰.
SR3) Table 13-8 of the Draft Study Report¹¹.
SR4) Table 13-9 of the Draft Study Report¹².

SR5-SR8) Maintain the 1982 ratings for all roadway and shoreline units as shown in:

- SR5) Table 13-6 of the Draft Study Report¹³.
SR6) Table 13-7 of the Draft Study Report¹⁴.
SR7) Restore scenic quality in roadway units rated 15 or below.
SR8) Restore scenic quality in shoreline units rated 7 or below.

OTHER AREAS

NUMERICAL STANDARD

- SR9) Maintain or improve the numerical rating assigned to each identified scenic resource, including individual subcomponent numerical ratings, for views from bike paths and other

⁹ See attachment C

¹⁰ See attachment D

¹¹ See attachment E

¹² See attachment F

¹³ See attachment G

¹⁴ See attachment H

recreation areas open to the general public as recorded in the 1993 Lake Tahoe Basin Scenic Resource Evaluation.

BUILT ENVIRONMENT

POLICY STATEMENT

- SR10) It shall be the policy of the TRPA Governing Body in development of the Regional Plan, in cooperation with local jurisdictions, to insure the height, bulk, texture, form, materials, colors, lighting, signing and other design elements of new, remodeled and redeveloped buildings be compatible with the natural, scenic, and recreational values of the region.

Attachment C

Required Findings & Finding of No Significant Effect
for the adoption of four new environmental threshold carrying capacities
(threshold standards) and the removal of nine threshold standards

**Required Findings & Finding of No Significant Effect
for the adoption of four new environmental threshold carrying capacities
(threshold standards) and the removal of nine threshold standards**

This document contains required findings per Chapter 3 and 4 of the TRPA Code of Ordinances for amendments to the TRPA Threshold Standards and TRPA Regional Plan Goals and Policies.

TRPA Code of Ordinances Section 3.3: Determination of need to prepare Environmental Impact Statement

Finding: TRPA finds that the amendments to the threshold standards and Regional Plan will not have a significant effect on the environment.

Rationale: TRPA staff prepared an Initial Environmental Checklist (IEC) pursuant to Article VI of TRPA Rules of Procedure and Chapter 3: *Environmental Documentation* of the TRPA Code of Ordinances to evaluate potential environmental effects of the proposed action as presented seen in Attachment C. Based on the information contained within the IEC, the proposed amendments would not have a significant effect on the environment and TRPA staff prepared a finding of no significant effect in accordance to TRPA's Rules of Procedure Section 6.6 and Code of Ordinance Section 3.3.2.

TRPA Code of Ordinances Section 4.4: Threshold Related Findings

Finding: The project (ordinance) is consistent with and will not adversely affect implementation of the Regional Plan, including all applicable Goals and Policies, plan area statements and maps, the Code, and other TRPA plans and programs;

Rationale: The proposed amendments are consistent with and will not adversely affect the Regional Plan, including all applicable Goals and Policies (as discussed below), plan area statements and local planning areas, the Code and other TRPA plans and programs.

Finding: The project will not cause the environmental threshold carrying capacities to be exceeded; and

Rationale: The proposed amendments will not cause the environmental threshold carrying capacities to be exceeded. The Regional Plan Environmental Impact Statement prepared in 2012 for an amendment of the Regional Plan analyzed full development build out potential within the Tahoe

Region. The findings for adoption of the 2012 Regional Plan demonstrated that implementation of the Regional Plan would not cause Environmental Threshold Carrying Capacities to be exceeded. The updating of the standards in three categories to reflect current science and best practice will not alter the policies or implementation of the Regional Plan.

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

Rationale: The proposed amendments will not affect any state, federal, or local standards. The amendments increase clarity and transparency in reporting on threshold standard progress.

TRPA Code of Ordinances Section 4.5: Findings Necessary to Amend the Regional Plan, Including Goals and Policies and Plan Area Statements and Maps

Finding: The Regional Plan, as amended, achieves and maintains the thresholds.

Rationale: The proposed amendments do not alter the substance of the Regional Plan.



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STATEMENT OF NO SIGNIFICANT EFFECT

Project Description: The adoption of four new environmental threshold carrying capacities (threshold standards) and the removal of nine threshold standards.

Staff Analysis: In accordance with Article IV of the Tahoe Regional Planning Compact, as amended, and Section 6.6 of the TRPA Rules of Procedure, TRPA staff reviewed the information submitted with the subject project.

Determination: Based on the Initial Environmental Checklist, Agency staff found that the subject project will not have a significant effect on the environment.

A handwritten signature in black ink, appearing to be 'J. A.', written over a horizontal line.

TRPA Executive Director/Designee

April 2, 2024

Date