TRPA
APC
PACKETS

JULY
1981

July 29 – Joint City/County Planning Commission

NOTICE OF MEETING OF THE
ADVISORY PLANNING COMMISSION OF THE
TAHOE REGIONAL PLANNING AGENCY

NOTICE IS HEREBY GIVEN that on July 8, 1981 at 10:00 a.m. at the hearing room of the Tahoe Regional Planning Agency, located at 2155 South Avenue, South Lake Tahoe, California, the Advisory Planning Commission of said agency will conduct its regular meeting. The agenda for said meeting is attached to and made a part of this notice.

Dated: July 1, 1981

By: Philip A. Overeynder
Philip A. Overeynder
Executive Director
Tahoe Regional Planning Agency

TAHOE REGIONAL PLANNING AGENCY
ADVISORY PLANNING COMMISSION

TRPA Office, 2155 South Avenue
South Lake Tahoe, California

July 8, 1981
10:00 a.m.

PRELIMINARY AGENDA

I CALL TO ORDER AND DETERMINATION OF QUORUM

II APPROVAL OF AGENDA

III DISPOSITION OF MINUTES

IV PLANNING MATTERS

A. The Role of the Advisory Planning Commission as Set Forth in the Compact, as Amended

B. List of Specific Activities Exempt from Agency Review and Approval - Tahoe City Public Utility District

C. Proposed General Plan Amendment to Reclassify 7 Acres of an 85 Acre Parcel Owned by Barton Memorial Hospital in the City of South Lake Tahoe from General Forest to Public Service

D. Air Quality Impact Analysis and Development of an Ordinance for Review and Approval of New and Modified Sources of Air Pollution

E. Status Report on the Work Program for Environmental Threshold Development

V REPORTS

A. Public Interest Comments

B. APC Members

VI RESOLUTIONS

VII CORRESPONDENCE

VIII PENDING MATTERS

IX ADJOURNMENT

TAHOE REGIONAL PLANNING AGENCY
ADVISORY PLANNING COMMISSION

TRPA Office, 2155 South Avenue
South Lake Tahoe, California

June 10, 1981
10:00 a.m.

REGULAR MEETING MINUTES

I CALL TO ORDER AND DETERMINATION OF QUORUM

Chairman John Meder called the meeting of the Advisory Planning Commission to order at 10:05 a.m. and advised that a June 9 letter from Lew Dodgion of the Nevada Division of Environmental Protection was on file appointing Wendell McCurry to serve as his designee for the June 10 APC meeting.

APC Members Present: Mr. Milam, Mr. Renz, Mr. Combs, Mr. Harper, Ms. Bogush, Mr. Hoole, Mr. Smith, Ms. Smith, Mr. McCurry, Mr. Schlumpf, Ms. McMorris, Mr. Hansen, Mr. Bidart, Ms. Shellhammer, Mr. Randolph, Mr. Meder

APC Member Absent: Mr. Pyle

II APPROVAL OF AGENDA

Mr. Meder asked that, as a first item of business, the APC members discuss a letter from APC member Lynne Smith regarding APC membership. Executive Director Phil Overeynder asked that item IV A.1. (the U.S. Forest Service's list of exempt activities) be continued to next month to give the Forest Service and TRPA staffs an opportunity to meet further to resolve potential conflicts.

> MOTION by Mr. Bidart to approve the agenda as amended. The motion carried unanimously.

A letter from APC member Lynne Smith requesting clarification on APC membership requirements and the ability of APC members to appoint designees was briefly discussed, specifically the legality of a lay member designating an alternate and the procedure to follow in reconsidering an item already acted upon. Executive Director Phil Overeynder explained that Gary Owen, the Agency's legal counsel, had advised that there is a distinction in the Compact between "official" members on the APC, such as the Forest Service, the local planning directors, the Air Resources Board, Lahontan, etc., and lay members. The latter do not have the ability to designate an alternate since the appointing jurisdiction in this case is the TRPA Governing Body. On another matter, since the Soil Conservation Service is not specifically listed in the Compact as an official APC member agency, the SCS representative serves as a lay member appointed by the Board to represent the interests of both states. An APC member can vote for reconsideration of an item if he/she was not present for the original action, since all members are given information packets prior to each meeting and should be familiar with the background of the item in question. Mr. Meder suggested that a motion for reconsideration should come from a member who had previously voted on the majority side.

> MOTION by Mr. Smith that any motions proposed by any member of the APC would require a second before further action can be taken upon it. The motion carried unanimously.

Mr. Overeynder introduced new TRPA staff member Sharon Fick who will be taking APC meeting minutes in the future.

III DISPOSITION OF MINUTES

MOTION by Ms. Shellhammer with a second by Mr. Hansen to approve the May 13, 1981 APC meeting minutes. The motion carried unanimously.

IV PLANNING MATTERS

A. List of Specific Activities Exempt from Agency Review and Approval

2. Tahoe City Public Utility District

Senior Planner Gordon Barrett introduced Dave Antonucci, the representative from the Tahoe City PUD, present to respond to APC comments on the District's proposal for exempt activities. The staff asks for APC comments on whether these exemption lists should itemize each activity or should instead set out parameters or broad categories of exempt activities. Mr. Antonucci explained that the CTRPA broke the District's list into two categories, those activities which proceed without checking with CTRPA and those which require CTRPA review and for which the executive officer can issue a staff level permit. Because that list is so detailed, CTRPA Board approval is required for any changes or every time a project arises which is not specifically on the list. It is hoped that the TRPA approved list can be taken back to CTRPA for approval.

Discussion followed on the three specific categories proposed - maintenance and operation activities involving no soil disturbance or physical modifications to facilities (water supply related, wastewater collection related, parks and recreation related); physical modifications to equipment, above-ground structures, and other district-owned facilities that do not result in a soil disturbance (same sub-categories); and physical modifications to facilities that could cause a soil disturbance (same sub-categories). Specific exemptions discussed under the first category were flushing and testing fire hydrants, snow removal and ice control, and assurances that no chemicals would be used in these activities; the extent to which cleaning a beach (raking vs. bulldozing) would have a significant effect; at what point park maintenance would require TRPA review; the conflicts between items on the list and Ordinance 81-1 (which sets forth specific exempt activities). There was general agreement to delete paving previously compacted parking and roadway areas as exempt. Staff pointed out that all projects, regardless of the level of TRPA review, must adhere to and implement the Best Management Practices. Mr. Smith suggested that routine emergency repairs such as fixing broken lines not require preparation of after-the-fact environmental documents unless substantial mitigation is necessary. Ms. Smith suggested that TRPA should be notified of any emergency work. Mr. Antonucci commented that TRPA staff should be on-site when any emergency work is done to insure that all standards are being met.

There was further discussion on how to proceed - whether to specifically list projects for each entity upon request or whether to set out broad categories with examples of specific projects, the latter being easily modified depending on the type of entity wishing to have an agreement on file with the Agency. Staff explained that these agreements listing activities which are exempt from TRPA review will be in effect indefinitely until there is documentation which indicates the activities are environmentally significant.

MOTION by Mr. Randolph with a second by Mr. Harper to direct staff to work with TCPUD to develop some criteria on the items discussed and to bring the matter back to the APC with a recommendation agreeable to staff and the District. CTRPA and Lahontan are to be consulted as well to insure that the resulting list of exemptions is not in conflict with current working agreements between the District and those entities. The list of projects is to be as specific as possible.

Mr. Randolph suggested that the exemption list be as specific as possible, rather than just examples, in order to avoid its misuse or loose interpretation. Mr. Antonucci asked for a broader list of categories with a specific list to be developed and brought back for review. Staff suggested that the phrase "includes but not limited to the following items: " be incorporated into the list.

Mr. Randolph withdrew his motion. Mr. Harper withdrew his second.

MOTION by Ms. Smith that this item be worked on further by the staff in an effort to develop criteria and an appropriate list in accordance with the ordinance, to include establishment of performance criteria within which will be a list of activities with a provision that they "include but are not limited to: . . ." and "any other similar uses as determined by staff". Staff is to work with CTRPA and Lahontan in preparation of this list. Second by Mr. McCurry. The motion carried unanimously.

3. Washoe County Public Works Department

Mr. Barrett suggested that, by means of the previous motion, staff was aware of the APC's philosophical direction on the exemption lists and would like to work further with Washoe County Public Works Department on its list. Mr. Kirk Nichols, of Washoe County Public Works, advised there were some routine maintenance projects the County would like to complete now. The items in the list were briefly discussed; staff advised it had no concerns on items 1, 2 and 3 (removal of sediment and obstructions from existing roadside ditches and underground storm drains, cleaning of sand and silt off paved roads, and pavement repair and limited overlay). Occasional installation of a roadway drainage culvert to prevent excessive erosion to the roadway and installation of limited French drains to capture seepage in the roadway could cause some problems if proposed near stream environment zones. Staff explained that under the existing Ordinance 81-1 many simple maintenance projects are already exempt. Concern was expressed by APC members on the piecemeal approach to setting forth the exemptions.

MOTION by Mr. Randolph with a second by Mr. Hansen to work with the Washoe County Public Works Department to develop criteria on exempt projects for further consideration by the APC in accordance with the ordinance, to include establishment of performance criteria within which will be a list of activities with a provision that they "include but are not limited to: . . ." and "any other similar uses as determined by staff". The motion carried unanimously.

Mr. Harper suggested that if other Washoe County departments will be proposing lists of exemptions they be submitted together rather than piecemeal.

The APC meeting recessed for a lunch break from 11:45 a.m. to 1:00 p.m.

B. Land Capability Challenges

1. Considerations Relative to Geomorphic Units

2. Requirements for Minimum Size

3. Creation of Planning Team to Evaluate Land Capability

Pursuant to the APC's request in May, Mr. Barrett presented more specific criteria for review of land capability challenges. The proposed checklist has been expanded to include specific criteria to be presented on geomorphology. The APC's packet also includes an excerpt from Dr. Robert Bailey's "Geomorphic Analysis of the Lake Tahoe Basin" and this was briefly described by Mr. Barrett. Staff requests APC comments on whether or not, in reviewing a challenge, only the lot in question be studied or should information be submitted for lands beyond the boundaries of the lot, i.e. a 300' radius from the center point of the property. Staff recommends the latter alternative for challenges on slope, soils and hydrologic characteristics. A geomorphic unit challenge should involve the planning team review. Staff explained that when a simple land capability challenge is approved the map is not actually altered but rather an administrative permit is granted which gives the lot owner additional land coverage. There was considerable discussion on the scale of maps to be used, the contour intervals, and the availability of adequate maps to address land capability concerns. Staff explained that a mapping program has been included in the Agency's work program.

Discussion followed on the mechanics of a planning team approach to reviewing challenges. Dennis Winslow, CTRPA Executive Director, described CTRPA's planning team process whereby a hydrologist, vegetation expert, soil scientist and other experts, where necessary, are employed by CTRPA to go into the field once a year to review all challenges. Last year the cost per individual lot owner was between $150 and $400, depending upon the size of the lot and other factors. Mr. Milam suggested that the team be called a "specialist" team rather than a "planning" team. Most APC members agreed on an annual review of capability challenges. Mr. Combs suggested that TRPA work cooperatively with CTRPA and Lahontan to coordinate these challenges so the process is not duplicated. Mr. Bidart suggested that perhaps the Agency would like to work with the two Conservation Districts who now are in the process of preparing working agreements with both Douglas and Washoe Counties. Staff advised that at this point it favored a team concept and would bring the specific experts' qualifications back to the APC for review to make sure they fit into the criteria. This review process would not affect the property owner's ability to have the Agency undertake a case-by-case review which is a part of the 208 planning process. If a property falls within a capability level 4-7, a TRPA staff permit for a residence can still be issued; should the property be in a level 1-3 and the property fall within the criteria specified, a case-by-case review could proceed. The technical team approach would provide a third party's judgment beyond that of TRPA and the applicant.

> MOTION by Ms. Shellhammer that the APC find, in its wisdom, that this check list has a possibility of doing something for the Basin that will help preserve and fulfill the terms of the Compact. Second by Mr. Combs.

Several APC members commented that the motion did not really speak to the issues being discussed and was not a firm recommendation on the staff's proposal.

> The motion failed on the following vote:
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> | | |
> |---|---|
> | Ayes: | Mr. Combs, Mr. Harper, Mr. Hoole, Ms. Smith, Ms. Shellhammer |
> | Nays: | Mr. Milam, Mr. Renz, Ms. Bogush, Mr. Smith, Mr. McCurry, Mr. Schlumpf, Ms. McMorris, Mr. Hansen, Mr. Bidart, Mr. Randolph, Mr. Meder |
> | Abstain: | None |
> | Absent: | Mr. Pyle |

MOTION by Mr. Combs with a second by Mr. Milam to recommend adoption of the land capability challenge checklist as recommended by the staff. The motion carried on the following vote:

Ayes:	Mr. Milam, Mr. Combs, Mr. Harper, Ms. Bogush, Mr. Hoole, Mr. Smith, Ms. Smith, Mr. McCurry, Mr. Schlumpf, Ms. McMorris, Mr. Bidart, Mr. Randolph, Mr. Meder
Nays:	Mr. Renz, Mr. Hansen, Ms. Shellhammer
Abstain:	None
Absent:	Mr. Pyle

MOTION by Mr. Milam with a second by Mr. Randolph to recommend to the Governing Body approval of a specialist team concept to include a hydrologist, a vegetation specialist and a soil scientist at the very least, that the Agency follow the general procedure which the CTRPA currently uses, and that TRPA coordinate that approach not only with the CTRPA but with Lahontan as well. The challenge process is to be paid for by the applicants. The motion carried unanimously.

Mr. Meder asked for a report back to the APC on the Board's actions in the matter.

C. Status Report on Ordinance Interpreting Article VI(c) of the Compact Limiting Works of Development Within the Region Until May 1, 1983, or Until the Regional Plan is Amended

Mr. Barrett explained that the Governing Body directed staff to prepare an ordinance based on the outline reviewed by the APC and concurred, in general, with the APC's recommendations with the exception of the highway definition. One activity permitted under the ordinance would be conversion of a structure which existed as of December 19, 1980 to a condominium. A simple change in the form of ownership would be permitted in this case. The ordinance will be ready for the June Board meeting.

Ms. McMorris left the meeting during discussion on the following item.

D. Status Report on Ordinance to Implement the Lake Tahoe Basin Water Quality Management (208) Plan and Fee Schedule for Water Quality Mitigation Fund

Mr. Overeynder explained the Board's action in May to adopt a modified case-by-case review alternative as recommended by the APC. Additional actions by the Board included incorporation of the California Water Resources Control Board's 208 Plan on an interim basis for the California portion of the Basin, establishment of a May 1982 cutoff date for acceptance of applications for case-by-case review, and establishing the burden of proof for the applicant to positively demonstrate the effectiveness of the proposal. Mr. Andy Sawyer, Special Projects Director with the California Water Resources Control Board, pointed out that the ordinance in the APC's packet had some technical errors which can easily be corrected.

Mr. Overeynder described the process used to come up with a mitigation fee schedule. Some of the factors considered in arriving at a formula are costs of effective erosion controls, erosion projects yet to be inventoried, and estimating erosion from an already developed lot. Mr. Schlumpf pointed out that, while the mitigation fees ideally may be high, they shouldn't be so costly that no erosion control work is done at all. In order to meet the requirements of the Plan, the staff explained that there must be a

a net reduction in sediment. To prevent the majority of the costs being carried at the end of the program, money must be set aside at the initial stages to insure that there will be completion of the total program. The subcommittee felt that something between alternatives 5 and 6 should be approved. Mr. Overeynder explained alternatives 1 through 6. Mr. Greg Lee, from attorney Larry Hoffman's office, questioned the legality of the APC's discussing such an item. This is a policy decision and should be handled by the Governing Board, not the APC. Mr. Meder pointed out that the Board had specifically requested the APC comments in the matter.

Mr. Charles White, Senior Engineer with Lahontan, advised that unless TRPA adopts an offset fee schedule, the responsibility for such a fee schedule will fall to the Lahontan Board. Alternatives 5 and 6 seem to fall within the range necessary to generate funds for offset projects on the California side of the Basin. California's calculations were based on the total amount of projects in California that are the responsibility of local government. A funding program is available whereby 75% of the cost is covered by state funds and Clean Lakes funds (depending on the availability of such funds) with 25% coming from local governments. The State favors an offset fee for all development including commercial projects and public works projects, and a sliding scale based on the extent of disturbance associated with a particular project.

Ms. Jean Hoyt, from the audience, criticized the Agency for its prohibition on building after she had spent $15,000 in architect and engineering fees. Staff explained that the Board had approved a case-by-case review procedure under which Ms. Hoyt may be eligible for review.

> MOTION by Mr. Hansen that the APC recommend to the subcommittee and the Governing Body the adoption of the staff-recommended Alternative 6 of the offset program. Second by Mr. Hoole. The motion carried unanimously.

E. Status Report on the Work Program for Environmental Threshold Development

Phil introduced Randy Sheffield, the new environmental threshold project director. It is the Agency's intent to present a revised work program to the APC in July. Currently the financial commitments from State jurisdictions and EPA are being worked on. It is anticipated that the APC will work on the final work program and participate in the selection of consultants.

Mr. Hoole left the meeting following this report.

V ENVIRONMENTAL IMPACT STATEMENT

> Consideration of Certification of the EIS for the South Tahoe Public Utility District/Community College Well

Associate Planner Jim Dana presented the summary on the proposed 2 MGD well which will provide adequate fire supply capacity while recognizing existing uses within subdivided areas of South Shore. The staff feels the District's EIS is sufficient to meet the Agency's new EIS guidelines. Through the circulation process, no comments have been received.

Mr. Dana summarized Agency concerns and the District's responses to those concerns, specifically, conservation measures, total water supply within the District, maintaining water within Cold Creek, and paving the access road from the District's office to the well site. Considerable discussion followed on this section of the roadway which will be used daily by the District for maintenance of the well. Mr. Combs pointed out that the APC at this point was only looking at the adequacy of the EIS; the merits of the project would be addressed later.

MOTION by Mr. McCurry with a second by Ms. Smith to recommend certification of the EIS for the STPUD/Community College well. The motion carried unanimously.

VI REPORTS

A. Public Interest Comments - none

B. APC Members

Ann Bogush and Ken Milam advised the APC of the cooperative effort between the City of South Lake Tahoe and El Dorado County to participate in a joint effort for the County and City plan updates. Meetings have taken place between TRPA, CTRPA, the City and County to see how this update will fit in with the expectations for the threshold study, the updated TRPA and CTRPA plans. The first goal will be redefining the role of local vs. regional governments, since much of the local level responsibilities have in the past evolved to the regional level. The County and the City should be taking a lead position in certain planning areas, i.e. housing.

Stan Randolph voiced concern at the APC's performance in May and urged the APC members to remember that, under the Compact, they were to provide protection for Lake Tahoe. There appeared to be some real special interest votes last month. The APC should discuss the direction the Commission appears to be going since the APC's fundamental purpose is not the protection of development rights but rather protection of Lake Tahoe. Ann Bogush asked that the matter be placed on the July APC agenda along with a Compact interpretation in this matter, if necessary.

VII RESOLUTIONS - none

VIII CORRESPONDENCE - none

IX PENDING MATTERS

X ADJOURNMENT - The meeting adjourned at 4:05 p.m.

This meeting was taped in its entirety. Anyone wishing to listen to the tapes may call for an appointment at (916) 541-0246.

Respectfully submitted,

Julie D. Frame

Julie D. Frame
Administrative Assistant

TAHOE REGIONAL PLANNING AGENCY

MEMORANDUM

DATE: July 1, 1981

TO: The Advisory Planning Commission

FROM: The Staff

SUBJECT: The Role of the APC

Pursuant to the Advisory Planning Commission's request at the June meeting, Gary Owen, the Agency's legal counsel, will be present at the beginning of the July 8 meeting to discuss the role of the APC as set forth in the Compact, how the conflict of interest sections of the Compact and the Rules and Regulations of Practice and Procedure affect APC members, and other relevant matters.

Enclosed for your review is a copy of those sections of the Compact and the Rules and Regulations relative to these topics.

Whenever under the provisions of this compact or any ordinance, rule, regulation or policy adopted pursuant thereto, the agency is required to review or approve any project, public or private, the agency shall take final action by vote, whether to approve, to require modification or to reject such project, within 180 days after the application for such project is accepted as complete by the agency in compliance with the agency's rules and regulations governing such delivery unless the applicant has agreed to an extension of this time limit. If a final action by vote does not take place within 180 days, the applicant may bring an action in a court of competent jurisdiction to compel a vote unless he has agreed to an extension. This provision does not limit the right of any person to obtain judicial review of agency action under subdivision (h) of article VI. The vote of each member of the governing body shall be individually recorded. The governing body shall adopt its own rules, regulations and procedures.

Advisory planning commission.

(h) An advisory planning commission shall be appointed by the agency. The commission shall include: The chief planning officers of Placer County, El Dorado County, and the city of South Lake Tahoe in California and of Douglas County, Washoe County and Carson City in Nevada, the executive officer of the Lahontan Regional Water Quality Control Board of the State of California, the executive officer of the Air Resources Board of the State of California, the director of the State department of conservation and natural resources of the State of Nevada, the administrator of the division of environmental protection in the State department of conservation and natural resources of the State of Nevada, the administrator of the Lake Tahoe Management Unit of the United States Forest Service, and at least four lay members with an equal number from each State, at least half of whom shall be residents of the region. Any official member may designate an alternate.

Term.

The term of office of each lay member of the advisory planning commission shall be 2 years. Members may be reappointed.

Vacancies.

The position of each member of the advisory planning commission shall be considered vacated upon loss of any of the qualifications required for appointments, and in such an event the appointing authority shall appoint a successor.

Chairman and vice chairman, terms.

The advisory planning commission shall elect from its own members a chairman and a vice chairman, whose terms of office shall be 2 years and who may be reelected. If a vacancy occurs in either office, the advisory planning commission shall fill such vacancy for the unexpired term.

A majority of the members of the advisory planning commission constitutes a quorum for the transaction of the business of the commission. A majority vote of the quorum present shall be required to take action with respect to any matter.

(i) The agency shall establish and maintain an office within the region, and for this purpose the agency may rent or own property and equipment. Every plan, ordinance and other record of the agency which is of such nature as to constitute a public record under the law of either the State of California or the State of Nevada shall be open to inspection and copying during regular office hours.

(j) Each authority charged under this compact or by the law of either State with the duty of appointing a member of the governing body of the agency shall by certified copy of its resolution or other action notify the Secretary of State of its own State of the action taken.

subparagraph shall represent the public at large within the State of Nevada.

(C) One member appointed for a 1-year term by the six other members of the Nevada delegation. If at least four members of the Nevada delegation are unable to agree upon the selection of a seventh member within 60 days after the effective date of the amendments to this compact or the occurrence of a vacancy on the governing body for that State the Governor of the State of Nevada shall make such an appointment. The member appointed pursuant to this subparagraph may, but is not required to, be a resident of the region within the State of Nevada.

(3) If any appointing authority under paragraph (1)(A), (1)(B), (2)(A) or (2)(B) fails to make such an appointment within 60 days after the effective date of the amendments to this compact or the occurrence of a vacancy on the governing body, the Governor of the State in which the appointing authority is located shall make the appointment. The term of any member so appointed shall be 1 year.

Term.

Vacancies.

(4) The position of any member of the governing body shall be deemed vacant if such a member is absent from three consecutive meetings of the governing body in any calendar year.

(5) Each member and employee of the agency shall disclose his economic interests in the region within 10 days after taking his seat on the governing board or being employed by the agency and shall thereafter disclose any further economic interest which he acquires, as soon as feasible after he acquires it. As used in this paragraph, "economic interests" means:

"Economic interests."

(A) Any business entity operating in the region in which the member or employee has a direct or indirect investment worth more than $1,000.

(B) Any real property located in the region in which the member or employee has a direct or indirect interest worth more than $1,000.

(C) Any source of income attributable to activities in the region, other than loans by or deposits with a commercial lending institution in the regular course of business, aggregating $250 or more in value received by or promised to the member within the preceding 12 months; or

(D) Any business entity operating in the region in which the member or employee is a director, officer, partner, trustee, employee or holds any position of management.

No member or employee of the agency shall make, or attempt to influence, an agency decision in which he knows or has reason to know he has an economic interest. Members and employees of the agency must disqualify themselves from making or participating in the making of the agency when it is reasonably foreseeable that the decision will have a material financial effect, distinguishable from its effect on the public generally, on the economic interests of the member or employee.

Expenses.

(b) The members of the agency shall serve without compensation, but the expenses of each member shall be met by the body which he represents in accordance with the law of that body. All other expenses incurred by the governing body in the course of exercising the powers conferred upon it by this compact unless met in some other manner specifically provided, shall be paid by the agency out of its own funds.

6.8 Substitution of Environmental Documents: Environmental documents or portions thereof prepared in accordance with the National Environmental Policy Act or the California Environmental Quality Act may be substituted for the documents required by this article if it is found by the chairman or the executive officer that the documents strictly comply with the procedural and substantive requirements of Article VII of the Compact. This section does not affect or alter any Agency requirements for consideration and certification of such documents.

6.9 Guidelines: The chairman or the executive officer shall establish detailed guidelines for preparation and processing of environmental documents. These guidelines shall be made available to the public and to all applicants.

6.10 Appeal: Determinations or certifications by the chairman or executive officer pursuant to Article VI of these rules and regulations may be appealed by any interested party to the Governing Body.

ARTICLE VII - ADVISORY PLANNING COMMISSION

7.1 General: The Compact provides for the appointment of an Advisory Planning Commission (APC) by the Agency and establishes and sets forth certain functions and duties of the APC relating to the Regional Plan and amendments thereto. In addition, it is contemplated that the APC make recommendations to the Agency respecting matters over which the Agency has jurisdiction and exercises powers.

7.2 APC Review: Matters regarding Agency plans and ordinances and other matters the Governing Body determines appropriate for APC consideration shall first be submitted to the APC for review and recommendation. The Governing Body may determine that a particular matter is of such urgency that the public interest requires it to act without delay and without review and recommendation of the APC.

7.3 Recommendations: The APC shall consider each matter submitted concerning conformity with the Tahoe Regional Planning Compact, as amended, the Regional Plan and the ordinances, rules, regulations and policies of the Agency. Based upon such consideration, the APC shall submit a report and recommendation of the pertinent matters to the Governing Body. The report shall show the vote of the members of the APC and may include the position of the minority, if any.

7.4 Procedures: The APC shall be governed by these rules and regulations of practice and procedure. To the extent practicable, the rules provided herein for the Governing Body shall also govern the APC, but the APC may provide a different time and place of meeting from that set forth herein for the Governing Boddy and may also adopt different rules in those cases where these rules and regulations are not applicable or would be impracticable for the APC to follow. The APC shall notify the Governing Body in writing of any such rule or regulation which the APC has determined to be inapplicable or impracticable when applied to it and the change or substitute for such rule or regulation adopted by the APC.

7.5 Transmittal of Reports: Copies of reports and recommendations made by the APC shall be mailed or delivered to the Governing Body and to every interested party, including the local governments affected by the matter reported upon.

7.6 Consideration by Governing Body: At the next regular meeting of the Governing Body, or at any special meeting that may be scheduled, the Governing Body shall consider the report and recommendations of the APC. The Governing Body may hear additional testimony and argument concerning any matter or proposal submitted before acting thereon.

7.7 Participation by Governing Body Members: Members of the Governing Body may attend and participate in APC meetings, but their presence shall not be counted in determining whether a quorum is present nor shall Governing Body members be entitled to vote.

7.8 Continuances: The APC may continue to a specific date any matter which it determines lacks sufficient information for proper consideration.

7.9 Meeting Date: Regular meetings of the APC shall be held on the second Wednesday of the month. Should any meeting day fall on a holiday, the meeting shall be held on the next business day thereafter which is not a holiday.

ARTICLE VIII - CONFLICT OF INTEREST

8.1 Disclosure of Economic Interest: All members of the Governing Body, whether elected public officials or appointed members, shall abide by the conflict of interest and disclosure laws applying to elected public officials of their respective states and those appropriate provisions of the Compact.

8.2 Disclosure of Economic Interest for Designated Employees: All designated employees shall abide by the state conflict of interest and disclosure laws which are the most restrictive and those appropriate provisions of the Compact.

ARTICLE IX - CTRPA RULES & REGULATIONS

9.1 CTRPA Rules and Regulations: For purposes of interpretation and implementation of the regional plan and ordinances of the CTRPA, to the extent required by the Compact, Sections 60 and 62(g) of Chapter 6 and Sections 81.1, 82, 84, 84.2 and 88.2 of Chapter 8 of the CTRPA Rules and Regulations in effect on July 1, 1980, are incorporated herein by this reference as though fully set forth. To the extent such sections incorporated herein are inconsistent with any other provisions of the rules and regulations, said sections incorporated herein govern for purposes of such interpretation and implementation.

ARTICLE X - MISCELLANEOUS

10.1 Applicability of Statutes: The applicable procedural provisions of the Compact are hereby made a part of these rules and regulations of practice and procedure by reference as fully and to the same extent as if the same were fully set forth.

TAHOE CITY PUBLIC UTILITY DISTRICT
PUBLIC WORKS PROJECTS CATEGORICAL EXEMPTION LIST

Project Activities That Do Not Require Written
Agency Determination of Exemption

I Maintenance and operation activities involving no soil disturbance, physical modifications to facilities and conformance with all Agency ordinances, plans and standards. This includes but is not limited to:

A. Water Supply Related:

1. Check all facilities for proper operation
2. Exercise valves
3. Flush and test fire hydrants
4. Inspect submerged intake lines
5. Adjust mechanical and electrical equipment
6. Locate buried water lines by metal detector, electrical field sensor or auger
7. Operate bleeder system to prevent freezing
8. Disinfect water lines
9. Snow removal and ice control of existing roadway, parking areas and walkways without use of toxic chemicals

B. Wastewater Collection Related:

1. Check all facilities for proper operation
2. Clean and flush sewer lines (per Lahontan requirements)
3. Conduct dye and smoke testing
4. Root control and removal in sewer lines
5. Snow removal and ice control of existing roadway, parking areas and walkways without using toxic chemicals
6. Access by existing roads and trails, open and inspect flow in manholes
7. Exercise valves
8. Adjust mechanical and electrical equipment

C. Parks and Recreation Related

1. Check all facilities for proper operation

2. Adjust mechanical and electrical equipment

3. Conduct normal maintenance in parks, public beach areas, and associated public facilities

4. Operate and maintain field and court lighting systems

5. Snow removal and ice control on existing roadways, parking areas and walkways without using toxic chemicals

II Physical modifications to equipment, above-ground structures, and other district-owned facilities that do not result in soil disturbance, increase in capacity, and conform to all Agency ordinances, plans and standards. This includes but is not limited to:

A. Water Supply Related:

1. Repair and maintain readily accessible waterworks equipment such as pumps, valves, motors, compressors, generators, electrical systems, control systems, alarm systems, fire hydrants, above-ground pipes, screens, wells, water meters, water tanks and treatment facilities.

2. Replace readily accessible waterworks equipment such as pumps, valves, motors, compressors, generators, electrical systems, control systems, alarm systems, fire hydrants, above-ground pipes, screens, wells, water meters, water tanks, and treatment facilities with equipment of similar type, function or capacity.

3. Patch, seal, overlay, stripe and otherwise maintain paved surfaces without increasing coverage

4. Repair and normal maintenance of buildings where cost of such repair does not exceed 50% of building value

B. Wastewater Collection Related:

1. Normal repair and maintenance of readily accessible collection system related equipment such as pumps, valves, motors, compressors, generators, electrical systems, control systems, alarm systems, above-ground pipes, odor control facilities, meters and wet wells.

2. Replace readily accessible collection system related equipment such as pumps, valves, motors, compressors, generators, electrical systems, control systems, alarm systems, above-ground pipes, odor control facilities, meters and wet wells with equipment of similar types or functions which result in no increase in capacity.

3. Grouting, sealing and pressure testing of sewer lines

4. Patch, seal, overlay, stripe and otherwise maintain paved surfaces without increasing coverage

5. Repair and normal maintenance of buildings where cost of such repair does not exceed 50% of building value

C. Parks and Recreation Related:

1. Repair and maintenance of accessory structures, except buildings, associated with public recreation facilities such as parks and campgrounds

2. Bicycle trail auto barrier repair and replacement

3. Oil and seal bicycle trail paving surface

4. Clean bicycle trail and bicycle trail culverts

5. Signing and striping of bicycle trails

6. Reseeding and fertilization of lawn areas

7. Patch, seal, overlay, stripe and otherwise maintain paved surfaces without increasing coverage

8. Repair and normal maintenance of buildings where cost of such repair does not exceed 50% of building value

III Physical modifications to facilities that could cause soil disturbance in non-critical areas or improved rights-of-way but which result in no increase in capacity, additional land coverage, and conform to all Agency ordinances, plans and standards. This includes but is not limited to:

A. Water Supply Related:

1. Repair or replace valves and fire hydrants with no increase in capacity

2. Trim vegetation around water facilities and within easement areas involving no vegetation removal

3. Repair and replace house service connections

4. Install house service connections on residences approved by TRPA

5. Repair or replace water meter boxes

6. Install new valve and fire hydrants along existing water lines within existing roadways and easements

7. Repair leaks in conformance with Lahontan waste discharge requirements

8. Locate lines and manholes by digging in non-critical areas

9. Construct observation wells not exceeding four inches in diameter for purpose of groundwater monitoring

B. Wastewater Collection Related:

1. Repair and replacement of house service connections, laterals and cleanouts

2. Clean up and mitigation of raw wastewater overflows per Lahontan requirements

3. Trim vegetation around sewer facilities and within easement areas

4. Repair leaks in conformance with Lahontan waste discharge requirements

5. Locate lines and manholes by digging in non-critical areas

C. Parks and Recreation Related:

1. Repair and maintain irrigation systems

2. Trimming of vegetation involving no removal of vegetation

3. Conduct normal maintenance of existing athletic fields for sporting events that does not increase field site or result in new soil disturbance

D. General

1. Remove and dispose of sediment and excavated material at a legal point of disposal for projects specified above

2. Revegetate or ~~otherwise restabilize~~ mechanical stabilization of disturbed soils for projects specified above

3. Nothing shall prevent a department of the District from performing an activity or project listed in this category of activities that do not require written Agency determination under another department.

Acvities Requiring Written Agency
Determination of Exempt Status

The following activities are exempt, provided they do not change the service capacity, are not located in a critical area, and it is determined in writing by the Governing Body or Agency staff that the activity, including the site upon which it is to be undertaken, is conforming and in compliance with the land coverage limitations of the land capability system. This includes but is not limited to:

A. Pave existing roadway access and previously compacted parking areas

B. Rebuilding and replacement of buildings

C. New minor accessory structures

D. Remove sediment from open storage reservoirs

E. Repair or replace intake lines and accessory facilities

F. Removal of dead trees

G. Replace existing water lines with a new water line of the same capacity within the rights-of-way of existing roads or on lands in non-critical areas

H. Replace existing sewer lines with a new sewer line of the same capacity within the rights-of-way of existing roads or on lands in non-critical areas

I. Install new valves or fire hydrants along existing water lines within existing roadways and easements located in critical areas

removal by hand

J. Replenishment of sandy beaches above the highwater rim of Lake Tahoe

K. Removal of very small quantities of accumulated sediment at selected sites such as boatramps and stream dams in park areas

Only the TRPA Executive Director or the Governing Body may authorize exemptions for activities not contained in this list based on a determination that such activity is similar and appropriately classified within the categories listed above. The absence of a project or activity from this list shall not be construed in such a way as to prevent any reasonable action in response to any emergency situation, providing the Tahoe City Public Utility District, as soon as possible, takes all possible actions to notify TRPA staff of the emergency.

TAHOE REGIONAL PLANNING AGENCY

MEMORANDUM

DATE: July 1, 1981

TO: The Advisory Planning Commission

FROM: The Staff

SUBJECT: Proposed General Plan Amendment
Barton Memorial Hospital

As per the recently adopted TRPA Rules and Regulations, the TRPA evaluates General Plan amendment requests on a semi-annual basis. The initial evaluation is to determine if the amendment merits further consideration with a public hearing. Included in this determination is the status of the project under the TRPA EIS requirements and a refinement of the issues prior to the public hearing. For the month of July, the Agency has only the subject application on file; details are as follows:

Amendment Request

The hospital is requesting a General Plan amendment to reclassify 6.9 acres of a larger 85 acre parcel from General Forest (GF) to Public Service (PS). The applicant indicates this request is being processed in order that a parking lot (up to 90,000 sq. ft.) may be constructed to meet additional parking needs at the adjacent hospital.

Site Description and Location

The subject property is located east of the Barton Memorial Hospital in the City of South Lake Tahoe (see attached map). The property is currently zoned GF and is undeveloped; however, it is included in a master plan for the Tahoe Valley Campground. The site is heavily forested and is generally flat (land capability level 7). The property is adjacent to the hospital on the west, to the campground on the south, to the Truckee Meadow on the east, and abuts South Street offices and residences to the north.

Requested Actions

The Agency staff will present further information and displays at the July APC meeting. In order to prepare a summary for the Governing Body, staff is requesting APC recommendation on the following issues:

1. Is it premature, in light of the new Compact and Plan, to consider General Plan amendments that will permit new or significantly different uses? The property is currently zoned GF and is planned for a campground; the new proposal would permit the construction of a parking lot or any other public service use.

2. How should this application be processed by the various agencies involved? In order to construct this parking lot of unspecified size, the following approvals will be required of the TRPA, the CTRPA and the City of South Lake Tahoe:

   a. Annexation of the property into the City of South Lake Tahoe;

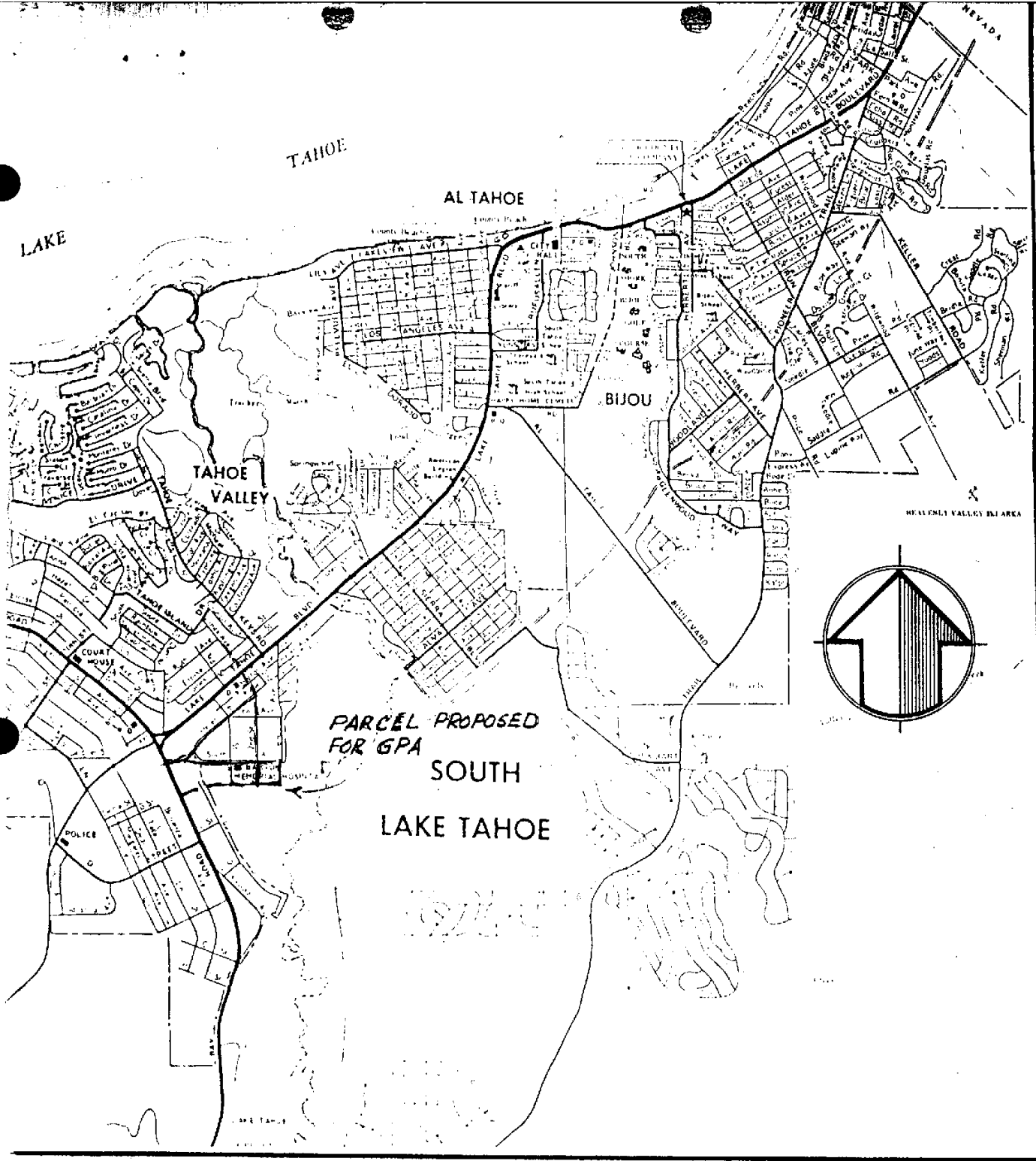
   b. Parcel map to split the 6.9 acre parcel from the larger 85 acre parcel;

   c. Approval of a General Plan amendment to reclassify the property to PS to permit a parking lot; and

   d. Approval of a permit to construct a parking lot.

3. When considering existing and proposed uses in the area, is this site the best location for the parking lot? There are plans being considered by the City for a revised road system in the area to the west of the hospital. There is vacant land under the same ownership to the west which would be considered infill, and the more intense uses are located to the west.

4. The applicant's report indicates there would be no substantial environmental impact and the needed parking is for existing uses and not planned expansion. Does the APC concur with this analysis?



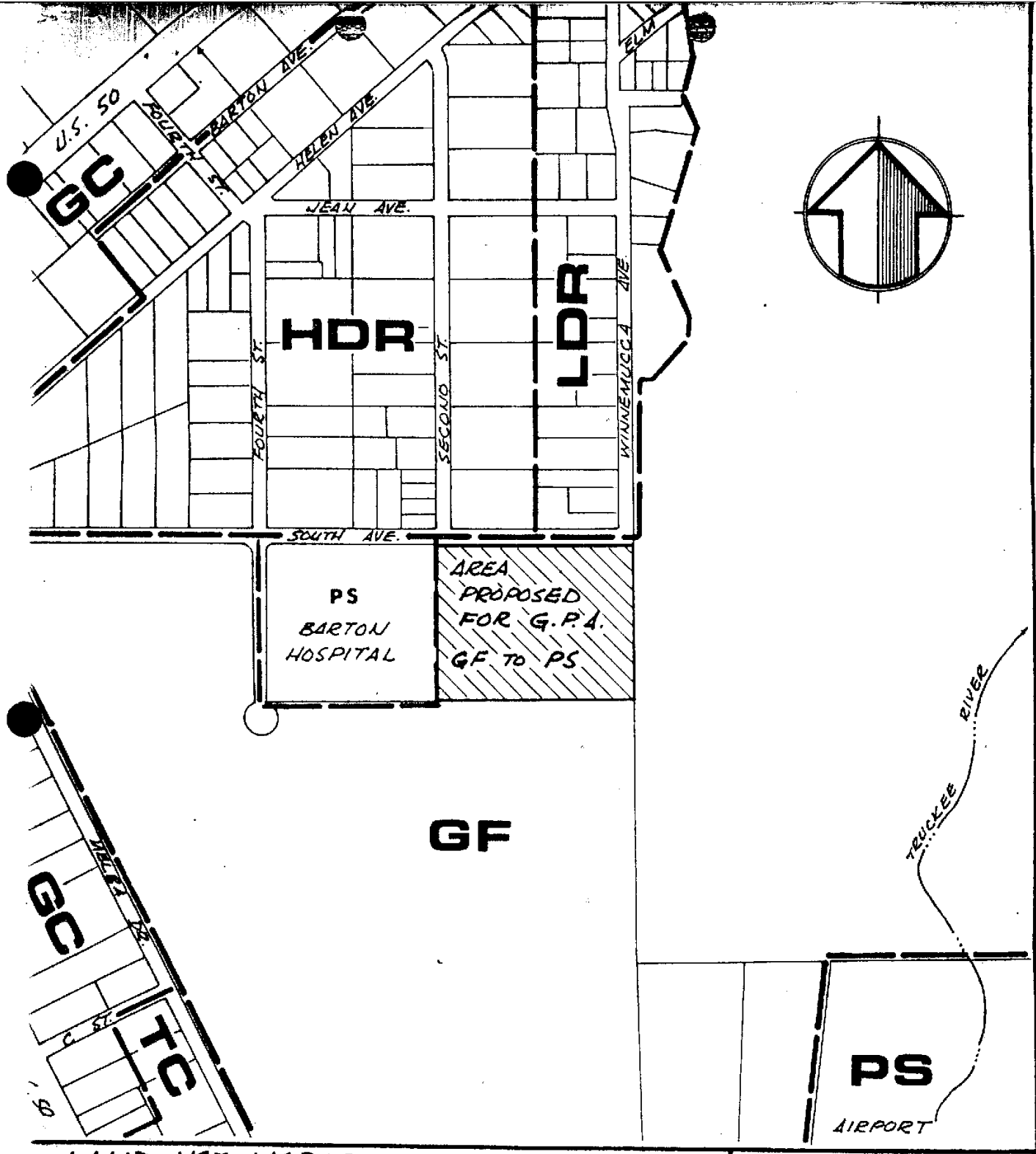
LOCATION MAP TO SUPPORT REQUEST FOR GENERAL PLAN AMENDMENT.
BARTON MEMORIAL HOSPITAL

SOUTH LAKE TAHOE CALIFORNIA

CREEGAN & D'ANGELO CONSULTING ENGINEERS

ROUND HILL PROF. BLDG. #2 • ZEPHYR COVE, NEVADA • 89448 • (702) 588-4588

DRAWN BY: RT	DATE: JAN. 1981
CHECKED BY: JG	SCALE: NONE
APPROVED BY: JG	JOB NO.: 580080
SHEET 1 OF 1	
DRAWING NO.	REV. NO.
A 580080	0



LAND USE MAP TO SUPPORT PROPOSED GENERAL PLAN AMENDMENT. BARTON MEMORIAL HOSPITAL

UTH LAKE TAHOE CALIFORNIA

CREEGAN & D'ANGELO CONSULTING ENGINEERS

ROUND HILL PROF. BLDG. #2 • ZEPHYR COVE, NEVADA • 89448 • (702) 588-4588

DRAWN BY: RT	DATE: JAN. 1981
CHECKED BY: JG	SCALE: 1" = 400'
APPROVED BY: JG	JOB NO.: 580080
SHEET (1) OF 1	

DRAWING NO.	REV. NO.
A 580080	0

Dale CTRPA Criteria 1/80

INTERIM
IN EFFECT UNTIL ADOPTION OF G.P.

TO: The Advisory Planning Commission

FROM: The Staff

DATE: June 30, 1981

SUBJECT: Proposed Ordinance to Review New and Modified Projects that May Have Adverse Air Pollution and Traffic Impacts

Background:

At the May 13, 1981 Advisory Planning Commission (APC) meeting the staff presented an ordinance that would require TRPA to review new and modified projects that are likely to have an adverse affect on air quality and traffic congestion. The APC agreed unanimously that such an ordinance is necessary and that the staff should work with the appropriate agencies to develop the ordinance.

Discussion:

Since the May 13 meeting the staff has been working with the California Air Resources Board (ARB), California Tahoe Regional Planning Agency (CTRPA), and the Nevada Division of Environmental Protection (NDEP) to develop an ordinance. The purpose of presenting this memo to the APC is to discuss the agreements that have been reached to date with these agencies and to obtain the APC's approval on the staff recommendations. The agreements that have been reached include the criteria that would be used to determine if a project would be subject to review, and the amount of mitigation that should be required from projects. ~~An agreement has not been reached on the approach to use to mitigate impacts from projects.~~

It was agreed that the criteria for determining if a project is subject to review would be based upon two criteria. The first criteria would be the amount of new vehicle trips generated by a project. This criteria would vary geographically depending upon the ~~significance~~ of the air quality or traffic problem. The second criteria would require projects to be reviewed if they ~~exceed or impact an area where the roadway capacity is within~~ 1% of the remaining capacity. result in new trip generation ~~in excess of~~ which exceeds

potential for air quality degr. or increased traffic congestion

There are three concepts concerning the amount of mitigation that should be required for areas violating either the ambient air quality or roadway capacity standards. These concepts include a one for one mitigation requirement, a greater than one for one mitigation requirement that is fixed or a flexible mitigation requirement based upon the degree of the air pollution or traffic problem within specific areas. The flexible concept was chosen because it was felt that the ordinance should be used to improve the air quality and traffic problems in addition to insuring that these problems do not become worse. In addition, a fixed ratio greater than 1:1 should also be used as a minimum to insure that a problem does not become worse.

There was also a significant amount of discussions concerning the amount of mitigation that should be required for areas that do not exceed the air quality and traffic standards. It was agreed that a 1:1 ratio should be used for these areas as an interim measure until the threshold study is completed. The ~~threshold study~~ would define the amount of mitigation for each project locating in a specific area. After the ~~threshold study~~ is completed, the ordinance would be revised to allocate an equitable amount of mitigation from each project that will prevent both the air quality and traffic standards from being ~~violated~~ in addition to any other environmental carrying capacity values that may be adopted. This approach would prevent the air quality and traffic standards from being violated in these areas while the General Plan is being updated and it would allow each project to be treated the same after the General Plan is adopted without violating any standards.

There are also two concepts that may be used to mitigate air quality and traffic impacts from projects. They are:

1. Applicants will be directly responsible for constructing a mitigation project(s) which complies with the provisions of the ordinance.

2. Applicants will be directly responsible for constructing a mitigation project(s) or may contribute toward the construction of a specific mitigation project which complies with the provisions of the ordinance.

The first concept simply requires the applicant to pay for or construct mitigation measures that equal or exceed that projects air quality and traffic impacts. The second concept was developed because many proposed developments do not create an air quality or traffic impact as great as the mitigation measures that are generally available. The ordinance would prioritize potential mitigation projects and encumber money from approved developments to pay for these specific mitigation projects. When enough money will be used to pay for construction of that specific mitigation project. Since the mitigation fund would be

dealing with specific mitigation projects, the amount an applicant contributes would be determined by prorating the cost of the specific project for the air quality or traffic impact of that applicant.

It is felt that under option "2", smaller developments with air quality and traffic impacts much less than potential mitigation projects would have the payment options. However, large developments would be expected to develop and construct mitigation projects on their own.

Staff Recommendation:

The staff recommendation is for the APC to adopt the following concepts as part of the general ordinance to review new and modified projects that may have adverse air pollution and traffic impacts:

1. The criteria for determining if a project would be subject to review would be the number of new vehicle trips generated by a project and if projects exceed or impact areas where the roadway capacity is within 1% of the remaining capacity.

2. A flexible ratio based upon the degree of the air pollution and traffic problem in specific areas will be used to determine the amount of mitigation required for projects locating in areas where either the ambient air quality or traffic standards are violated, and a 1:1 ratio will be used for significant projects locating in areas where neither the air quality nor traffic standards are violated.

3. Applicants will be directly responsible for constructing or paying for the construction of a specific mitigation project that will be completed at the same time as the project, or may contribute to an air quality mit. fund in areas w/o violation of a.q.s. where it is not feasible to provide for direct mitigation

DN:mlw

define in terms of CTRPA Ord. (project exceeds 1% of remaining vehicle capacity)