

**TRPA  
APC  
PACKETS**

**AUGUST  
1983**


*Phil*  
**AUG-83 APC**

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

NOTICE IS HEREBY GIVEN that on August 10 and 11, 1983 at  
9:30 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: August 1, 1983

By:

  
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

August 10, 1983 9:30 a.m.  
August 11, 1983 9:30 a.m.

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PRELIMINARY AGENDA

- I CALL TO ORDER AND DETERMINATION OF QUORUM
- II APPROVAL OF AGENDA
- III DISPOSITION OF MINUTES
- IV APPEALS
  - A. Lowry/Pillsbury, Logan Creek Estates, Appeal of Staff Rejection of an Application for Subdivision Improvement, Douglas County, (August 10, Estimated Time 9:45 a.m.)
  - B. Peterson/Curtis, Appeal of Staff Decision Pursuant to the Case-by-Case Lot Review Criteria, 759 Allison Drive, Washoe County APN 126-051-06, TRPA File #821010 (August 10, Estimated Time 10:30 a.m.)
  - C. Carpenter/Curtis, Appeal of Staff Decision Pursuant to the Case-by-Case Lot Review Criteria, 760 Allison Drive, Washoe County APN 125-051-07, TRPA File #82430 (August 10, Estimated Time 10:45 a.m.)
  - D. W. F. Gabrys, Appeal of Intent to Approve Two Projects at a Staff Level: W. Rush, Washoe County APN 126-570-06, TRPA File #82116; and H. Blank, Washoe County APN 126-570-04, TRPA File #82362 (August 10, Estimated Time 11:00 a.m.)
- V GENERAL PLAN AMENDMENT
  - A. Fallen Leaf Lake Lodge Redevelopment, General Plan Amendment to Consider Reclassification of 76.8 Acres in El Dorado County from Low Density Residential and General Forest to Medium Tourist Residential, General Forest and Recreation (Estimated Time 11:30 a.m.)
- VI PLANNING MATTERS
  - A. Advisory Planning Commission Subcommittee's Report on Regional Plan Part I (Goals and Policies, and Plan Area Statements) Estimated Time 1:00 p.m.
  - B. Certification of Environmental Impact Statement for Adoption of Amendments to the Regional Plan
  - C. Consideration of Recommendations to Governing Board on Regional Plan

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1. Land Use Element
2. Transportation Element
3. Conservation Element
4. Recreation Element
5. Public Services and Facilities Element
6. Implementation Element
7. Plan Area Statements

D. Progress Report on Visual Resource Inventory

VII ADMINISTRATIVE MATTERS

VIII REPORTS

- A. Staff Reports
- B. Public Interest Comments
- C. APC Members

IX RESOLUTIONS

X CORRESPONDENCE

XI PENDING MATTERS

XII ADJOURNMENT

TAHOE REGIONAL PLANNING AGENCY  
ADVISORY PLANNING COMMISSION

TRPA Office, 2155 South Avenue  
South Lake Tahoe, California

June 8, 1983 9:30 a.m.  
June 9, 1983 9:30 a.m.

I CALL TO ORDER AND DETERMINATION OF QUORUM

With the determination of a quorum present, Mr. Sawyer suggested that an Acting Chairman could be elected to conduct the APC Meeting until the arrival of Chairman Harper or Vice Chairman Bogush.

APC Members Present: Mr. Milam, Mr. Renz, Mr. Combs, Mr. Sullivan,  
Mr. Randolph, Mr. McMullen (arrived at 10:15 a.m.),  
Ms. Sparbel, Mr. Sawyer, Mr. Rosse, Mr. Pyle,  
Mr. Hansen, Mr. Curtis (arrived at 11:40 a.m.),  
Mr. Poppoff, Ms. Bogush (arrived at 10:10), Mr. Harper  
(arrived at 10:15 a.m.)  
APC Members Absent: Mr. Hoefer, Ms. McMorris, Ms. Michael

MOTION by Mr. Randolph, with a second by Mr. Hansen, that Mr. Sawyer would be the Acting Chairman during the absence of the Chairman and Vice Chairman. The motion carried unanimously.

Andy Sawyer called the Advisory Planning Commission meeting to order at 9:45 a.m.

II APPROVAL OF AGENDA

Phil Overeynder, Executive Director stated that Items IV A and IV B had been withdrawn from the agenda. Mr. Overeynder explained that the applicants, Lowry/Pillsbury, had requested a continuance to the July APC meeting because they felt that more time was needed to adequately respond to the information contained in the staff summary, and due to the sensitive nature of this application staff concurred with this request.

Mr. Overeynder also explained that the applicants, Loomis/Barrow, had requested a continuance for 30 days in order to prepare additional drainage details on the plans.

Mr. Overeynder noted that both applicants are aware of the policy for requesting continuances to a date certain.

MOTION by Mr. Hansen, with a second by Ms. Sparbel, to approve the agenda as amended. The motion carried unanimously.

III DISPOSITION OF MINUTES

MOTION by Mr. Pyle, with a second by Mr. Hansen, to approve the minutes with no corrections. The motion carried unanimously.

APC REGULAR MEETING MINUTES JUNE 8 and 9, 1983

Mr. Sawyer noted that a letter was received from Lew Dodgion designating Verne Rosse to serve as his alternate for the June 8 and 9 APC meeting. It was also noted that Mr. Rosse's Conflict of Interest Statement on file with the TRPA is current.

Mr. Sawyer stated that a letter was received from Sarah Michael who could not attend the APC meeting this month, requesting that her written comments be read into the record when the related agenda items were discussed.

Mr. Overeynder distributed a proposed schedule for Development of Regional Plan, explaining staff attempted to emphasize the work products that would come out of various activities along with suggested timeframes for completion. Mr. Overeynder stated the proposed schedule was presented to the Governing Board but they did not take any specific action to approve this schedule, however, the Board did refer it to the APC for their recommendations. Mr. Overeynder briefly explained there are four component parts to the completion of the Regional Plan that needs to be considered: (1) Certification of the Environmental Impact Statement; (2) Adoption of the Policy Plan (3) the Planning Area Statements; and (4) the Implementing Ordinances. The proposed schedule outlined completion for the first three components of the process through August 19, 1983 and Mr. Overeynder stated this would bring a Regional Plan before the Governing Board for adoption at their August meeting.

Gary Midkiff, Assistant to the Executive Director, distributed copies of the June 6, 1983 solicitation letter and scope of work outline that the TRPA mailed to prospective financial consultants. Mr. Midkiff explained that the Agency is seeking professional assistance in evaluating the fiscal impacts of the plan alternatives for local governments, special districts, and also the economic impacts on the region in general. Mr. Midkiff stated the Ways and Means Committee suggested that special consideration be given to consultants that are working for the City of South Lake Tahoe and the Tahoe Transportation District because they would have a good overview and familiarity with the Tahoe situation. Mr. Midkiff stated that each of the prospective consultants received copies of the public service, the implementation and the land use portions of the Regional Plan to review what is contemplated during each the 5 year increments of the Plan. Mr. Midkiff explained that the consultant will develop a financial plan recommendation which would be consistent with the direction of the Board for adoption of a Regional Plan. Mr. Overeynder added that staff has done a great deal of the preliminary work in assimilating most of the data necessary to do the financial analysis. The Ways and Means Committee will review the qualifications and personnel statements of the financial consultants, and it is anticipated that the Governing Board will select the consultant based on the Committee's recommendations at the Board's June meeting.

Mr. Harper stated that he and Ms. Bogush had discussed the preliminary schedule for the Regional Plan with Chairman Jim Reed. Mr. Harper further stated that both Mr. Reed and the Governing Board recognized that this schedule was consistent with the APC's action in April. Mr. Harper noted there was concern with the ability to get the APC's recommendations to the Governing Board in a timely manner, to have the APC work out the time schedule in June, the possibility of setting up subcommittees/core groups between the APC members to review the various elements and issues, and to provide the Governing Board with comprehensive recommendations for the Basin wide process.

APC REGULAR MEETING MINUTES JUNE 8 and 9, 1983

Mr. Combs suggested that a field trip to review some of the case-by-case sites prior to any action on the policy plan/area planning statements might be helpful to the APC members and could possibly be added to the time schedule.

The proposed schedule was further discussed which included the APC's suggestions to extend the APC meeting to two days for the next few months in order to hold workshop sessions and to conduct public hearings.

V ENVIRONMENTAL IMPACT STATEMENTS, DETERMINATION OF TECHNICAL ADEQUACY

A. Lake Parkway (Loop Road) Completion, City of South Lake Tahoe

Greg George, Chief of Project Review, stated the Final EIS/EIR prepared by QUAD Consultants responded to comments received for the Lake Parkway (Loop Road) completion for the APC's determination of technical adequacy will be scheduled for the Governing Board's certification at their June meeting. Mr. George stated that the project cannot be considered until adoption of the transportation element of the Regional Plan. Mr. George stated that two of the primary issues have not been resolved. One issue focuses on the uncertainty as to what mitigation measures that the City proposes to implement in the document as part of the project. The second issue involves the position of Caltrans and the Air Resources Board that the one-way alternative should be approved and not the two-way alternative proposed. Mr. George stated Nevada Department of Transportation disagrees with the one-way alternative and supports the two-way alternative. Mr. George further stated that Caltrans also indicated in their comments that they would like to have the EIS clarify that the project will include the 8 mitigation measures listed on page 4-4 in the draft EIS. Mr. George also stated he checked with representatives of the City of South Lake Tahoe who indicated to him that they did not intend to incorporate those as mitigation measures with this project, and he pointed out that this issue may have to be determined by the Governing Board as far as what is necessary to mitigate the impacts to a less than a significant level.

Mr. Sawyer stated that he expected that APC's comments would have been clearly identified and answered, except where the comments were duplicated by that agency's representative on the APC. Mr. Sawyer stated that in the future when the APC's comments are identified that have already been responded to there should be some type of cross references to the APC's comments and comments raised from other agencies. Mr. Sawyer noted that at the May APC meeting Mr. Kortick had raised a question, but they were not written comments from his agency, and apparently some other agency had raised the same issues. Mr. Sawyer stated he could not find it in the document and that he spoke to Mr. Hauge concerning this matter about why there is a left turn lane if this project is not growth inducing,

Mr. George stated that since the response document did not contain a response to some of the comments from other agencies, he had discussed this matter with Andy Hauge, QUAD consultant and that he and Mr. Hauge would go back through the minutes, which are part of this document, and see if there were any other ~~comments that were not adequately~~ responded to and prepare an addendum. Mr. George stated that Mr. Hauge replied to the question of the left hand turn lane

that at the last APC meeting representatives from the City indicated there are a number of alternatives that could be looked at. Considering that where a left turn lane is not necessary to provide safe left turning movements to existing uses along that Loop Road it could possibly be a landscaped median instead of additional land coverage and the median could be incorporated into part of the drainage facilities for the project.

Mr. Randolph commented it would be difficult to determine the technical adequacy of this document until the APC had had an opportunity to review the addendum. Mr. George responded that possibly the addendum could be prepared for the following day and he would see what could be done.

Mr. Harper stated that Ms. Michael's written comments pertaining to Lake Parkway (Loop Road) would be given to staff and included in the response to comments addendum.

Tim Oliver, City of South Lake Tahoe, stated that review of the waste discharge requirements was scheduled for the Lahontan Board on June 9 and his concern was they may not approve the document without the APC's certification. Mr. George explained that TRPA is not certifying the EIR but that Lahontan has to certify it before they will issue discharge requirements. The City as the lead agency had already certified the EIR and Mr. George thought it was clear for Lahontan to go ahead to take an action on the waste discharge requirements since the EIR under California Environmental Quality Act (CEQA) had been certified. Mr. Sawyer added that Lahontan has to go by the document approved by the City and a day's delay to respond to the APC's comments would not affect the Lahontan decision.

Ms. Sparbel stated that she was unable to find a response to the May APC discussion regarding traffic volumes resulting from extension of Montreal to Pioneer Trail and Highway 50. She noted that the EIS on a project of this size should consider and discuss further how traffic will proceed through neighborhoods affected.

Mr. Poppoff commented that the letter from Ken Smith expressed a concern that there was a drainage problem in the Tahoe Meadows which is already heavily impacted. Mr. Poppoff noted there was no response to this comment, and he asked if there was one. Mr. Oliver responded that all of the drainage would be put into dry wells along the entire right-of-way so that runoff from the new portion of the Loop Road will be percolated into the ground. Mr. George added that the plan does indicate that overflow from the infiltration drainage system will eventually reach the Tahoe Meadows area, as all the drainage does from that general area, which could add additional flows to the Tahoe Meadows drainage problem.

Mr. Sawyer stated that it appears that infiltrating runoff will not keep it out of the Tahoe Meadows; it will just affect peaking because it will still run downhill underground and end up in almost the same area. Gary Shellhorn, Senior Planner, responded that the engineering planning staff review was done under the Agency's and Lahontan's requirements to handle or to treat the 20-year, 1-hour storm. The engineering firm designed an infiltration system to handle that amount of water; anything over that amount of water would then overflow down



into the existing road drainage and that water would eventually reach Tahoe Meadows. Mr. Shellhorn stated that the question about groundwater movement was difficult to assess and questioned whether that groundwater would end up in the Tahoe Meadows since that part of the Basin is relatively flat. Mr. Shellhorn added that there is a good chance that it would move straight down to the Lake. Montreal Road is not above Tahoe Meadows and probably does not have the same groundwater flow mechanisms. Mr. Shellhorn stated this would be a difficult question to answer even if we had a year or two to study it, adding that anything over a 20-year, 1-hour storm would cause overflow into the drainage system which could eventually reach the Meadows.

Mr. Poppoff commented that there were some calculations of the Dissolved Inorganic Nitrogen (DIN) loadings considered to be insignificant. He asked what was calculated to assume that there would be increased DIN loadings on this particular project? Mr. Shellhorn responded the calculations of DIN loadings were from just the impervious coverage/the pavement. Mr. Poppoff then asked if it is assumed that there is a fraction more watershed covered, could that fraction more DIN end up in the Lake? Mr. Shellhorn responded that because the groundwater system and because of the infiltration capacity there is no question how much of that load would reach the Lake and how much filtering is taken care of in the groundwater system. Mr. Poppoff stated the fraction seemed fairly large of the DIN loading and if you are talking about the DIN loading of the whole Lake that one little project seems like it would contribute quite a bit. Mr. Shellhorn stated it was his understanding that it would not be of the whole Lake, but rather just the project area.

Mr. Overeynder further responded to Mr. Poppoff's question regarding overflows and clarified the conclusion is that there will some increase in adverse impact, although very small. The question that needs to be addressed is whether or not that is significant enough to propose a mitigation measure. The mitigation measure that the City, TRPA, Lahontan and other entities are attempting to put together is a drainage plan for the entire Wildwood area which utilizes the Tahoe Meadows as a final treatment mechanism. It is basically our judgment that this particular project was not significant enough to propose that entire mitigation package which treats the whole area as part of that proposal.

Mr. Sawyer asked what the specific mitigation measures were that Caltrans had suggested be incorporated in the project. Mr. George responded that this issue needs to be clarified further, because as he understood the draft EIS does set forth the mitigation measures necessary for all of the alternatives, but it does not clearly state what mitigation measures need to be incorporated as part of this project to mitigate the impacts to less than a significant level. If this can be clarified in the response document it will become part of the EIS.

Mr. Sawyer referred to Sara Michael's letter of comments asking what does it mean when it says 'incorporated?' The response to comments was not clear whether the final EIS merely recognizes that this comment was made or is actually incorporated in the finding. Mr. George stated that in some cases technical experts sometimes disagree on the conclusions and he thought that Mr. Hauge in preparing the document indicated that an opinion will be included as part of this document but that he did not go into a lengthy argument why he feels his interpretation is correct or incorrect.

Mr. Randolph quoted from Ken Smith's letter pertaining to page 4-4 of the EIS "Caltrans Phase 2 Plan to provide an additional lane on Highway 50 to provide a free right turn onto Park from Highway 50 but this is not shown on any of the plans or diagrams. No mention is made whether this plan is a commitment by Caltrans or just a dream. The response says that the State Department of Transportation suggested these mitigation measures be incorporated in the project and the decisions as to the most appropriate timing for implementation has yet to be made". The City has stated they are certifying the EIS without those mitigation measures. Mr. Randolph stated that on page 4-7 of the EIS/EIR "it is the conclusion that none of the alternatives evaluated will achieve the project's objectives unless they incorporate the recommended traffic and environmental mitigation measures". Mr. Randolph stated he felt uncomfortable with the amount of unknowns of the mitigation measures and the decisions that still have to be made to certify this document. Mr. George responded that the draft EIS clearly assesses the alternatives and in a number of areas that the certain mitigation measures need to be incorporated if any of the alternatives are to be approved, but it does not make that determination for the project itself. Mr. George added that Caltrans commented these mitigation measures are listed for the project, but those mitigation measures are listed for the one-way access.

Mr. George suggested that he would call Mr. Hauge to see if this document could be revised or an addendum be prepared before the APC meeting adjourned.

Mr. Overeynder stated he was concerned with what measures are necessary to be incorporated as part of the project in order for the Governing Board to make a finding that all of the impacts will be adequately mitigated. Mr. Overeynder also stated the function of the EIS is to clearly state what those areas are, not necessarily indicate that they have been incorporated as part of the project. The Board does have the potential of making one of two findings: that the impacts have been adequately mitigated, in which case they can directly move to approve the project and presume that if certain items needed to be incorporated to mitigate the impacts those would be conditions of approval in some format; or they may decide that there is overwhelming socio-economic impacts or other considerations that make it necessary to approve the project even without those mitigation measures incorporated. Mr. Overeynder further stated that the Board will be looking for some direction from the technical body as to why that is justified, and the APC will have to deal with that issue as a policy directive.

Mr. Sawyer stated that either finding has to be supported by the administrative record and a supplemental economic report can be added, which explains why it is not feasible to put in a right turn lane, and that doesn't need to be in the EIS if there is additional information in the record to make that finding. Mr. Sawyer further stated he thought it would be best to have it in the EIS because the question of whether the project will have a significant impact without this mitigation measure should be something that can be answered by looking at the EIS itself. Mr. Sawyer added that most of the information necessary to make those findings has to be in the EIS and preferably all of it should be in one document, including the economic analysis, that is easy to use and for the public to have an opportunity to look at.

Ms. Bogush stated that the City Council certified the Lake Parkway (Loop Road) EIS/EIR and the mitigation measures that were called for but were not included as part of the alternatives were not specifically addressed. The City Council treated the document as a disclosure document identifying all of the alternatives and that the mitigation measure issue would be dealt with when the project was reviewed. Edith Wilson, City of South Lake Tahoe, added the City Council was including the various mitigation measures that could be used and would be chosen at the time the project was approved.

Mr. Randolph commented that the response to the Air Resources Board's letter recommended "that it will be the responsibility of the lead agency to balance the relative air quality impacts and the traffic benefits and impacts of the various project alternatives, and to incorporate those mitigation measures deemed feasible and timely in the project approval process for the selected alternative. The recommendations contained in the comment should be considered during the legislative deliberation process which considers project alternative selection and the determination of appropriate mitigation measures." Mr. Randolph stated that in essence the response is saying this document has disclosed the problems and it will be up to the TRPA Governing Board to determine whether those mitigation measures are a part of the project at the time of implementation, and he asked if that is what the City Council approved? Ms. Bogush replied, yes.

Mr. Harper stated there seemed to be concerns that some of the comments had not been responded to appropriately, in addition to a desire to provide the Governing Board with some direction as to whether the mitigation measure are available to reduce the impacts to a less than significant standard

Mr. Sawyer stated that he did not think that the two approaches were inconsistent because as a disclosure document the EIS should disclose what the consequences are by identifying the project with or without mitigation, and in his opinion the question of whether there is a significant impact or whether there will be a significant impact without the mitigation has to be addressed in the EIS.

The APC members agreed that this item would be deferred until the afternoon, at which time Mr. George would be able to provide the APC with information whether the consultant could respond with an addendum to the final EIS/EIR on the Lake Parkway (Loop Road) completion by the following day of their meeting.

B. Third Street and South Avenue Extensions and Improvements, City of South Lake Tahoe

Jim Dana, Associate Planner, reported that the draft EIS had completed the circulation period. Mr. Dana stated that during the APC's consideration of the technical adequacy of the subject EIS in May, three comments that were received had been addressed in an addendum from the City of South Lake Tahoe. Mr. Dana used a chart which depicted the turning movements in describing the City's response to comments.

Mr. Sawyer stated that the wording in the City's response document should be corrected to reflect that: the proposal conforms to the requirements for an exception rather than a variance; and that the Lahontan Regional Water Quality Control Board has decided that the offsetting mitigation required for this project is provided by the City's D Street Drainage Project.

Mr. Randolph commented that the EIS stated there were no accidents in 1979 through 1982 in the 190 foot stretch between the center line of the shopping center driveway and the center line of the proposed South Avenue extension, which he found believable since there has been very limited use of South Avenue. but what happened in the past is not necessarily an indication of what will happen in the future. Mr. Randolph stated that the City is saying there is no problem with this location because of the 5 left turns in and 5 left turns out, Mr. Randolph commented he was confused about the 1500 vehicles per day and the 100 vehicles or 50 vehicles per hour since the numbers were inconsistent and he questioned if this was the right set of numbers. Ms. Wilson, responded that those numbers were produced by the consultant, but that she would check further. Mr. Dana referred to page E-13, Figure 8, the existing and projected daily traffic volumes and to page E-14, Figure 9 the existing and projected peak hours of traffic were the ones in question.

Mr. Hansen suggested to continue this item until next month since the consultant was not present.

It was agreed that this item would be deferred until the afternoon.

C. Rubicon Water System Reconstruction, Tahoe City Public Utility District, El Dorado County

Gary Shellhorn, stated that the Tahoe City Public Utility District (TCPUD) proposes to reconstruct the water system in the Rubicon Properties Subdivision. The present system is extremely deteriorated, in need of major renovation in order to provide water supply which meets the drinking water standards. In addition there are problems with fire protection demands, problems with all year operation, and the California Department of Health Services has ordered that the water system be upgraded to supply adequate water to the Rubicon Properties Subdivision. Mr. Shellhorn further stated the District has outlined five alternatives to upgrade the water system. All of the alternatives would include abandonment of Lonely Gulch Reservoir which is the present point of diversion; require replacement of the existing 3 inch lines with 6 inch lines to provide adequate fire flows; and that the system will be winterized to prevent freezing. Mr. Shellhorn noted some of the key issues of consequences and impacts: water use will decrease since the system will not require "bleeding" during the winter to prevent freezing; stream flows in Meeks Creek could be affected by development of a well adjacent to Meeks Creek associated with extreme pumping conditions; riparian vegetation within 26 feet of the proposed well could be impacted with worst-case pumping rates due to dewatering; the proposed storage tanks would create impervious coverage on high hazard lands in excess of the 1% allowed coverage. For the lake intake alternatives, the District would be required to obtain a change from the California State Water Quality Control for points of diversion of existing water rights; and the well diversion would not require a change in existing water rights. Mr. Shellhorn also noted some of the

major mitigation measures would include: that Best Management Practices for erosion control would be utilized during construction; revegetation of areas disturbed during construction; construction in or near Lake Tahoe and streams would be conducted to minimize suspended sediment; and the 4,000 square feet of disturbed area where the proposed upper tank is to be located will be stabilized and the areas not covered by the tank will be revegetated. Mr. Shellhorn pointed out that Alternative 5, the well diversion, is the District's preferred alternative it would have the least cost and would not require a change in points of diversion of their existing water rights, but the potential for environmental impacts are greater because of the uncertainty of the groundwater impacts due to pumping adjacent to Meeks Creek. Mr. Shellhorn added although the reports indicate that these impacts are minimal and the chance of that occurring is slight, there is still the uncertainty with the groundwater pumping. Mr. Shellhorn distributed copies of the comments and responses addendum to the APC members noting that because of the timing requirements for State of California EIR review system and the TRPA EIS review system, the EIR review period ended May 27, 1983. The District has received all the comments on the EIR and responded to the comments in the addendum which were addressed in the staff summary. Mr. Shellhorn stated that the TRPA EIS requirements closing date for that review period was June 13, 1983 but comments could be still received. Staff recommended that the APC determine the technical adequacy of the EIS, including the addition of the addendum, and if any comments are received between this date and June 13 the entire matter would be brought back to the APC in July. Mr. Shellhorn noted that Jim Yost, Brown and Caldwell Engineering Consultants, and David Antonucci, Tahoe City Public Utility District, were both present to answer questions.

Mr. Sawyer commented that the TCPUD and the consultant did an excellent job on the EIR/EIS, especially as a result of early consultation with all affected agencies. Mr. Sawyer stated he is concerned however with every one of the documents that there is a different comment period for the EIR and EIS, and asked that in the future in putting together these joint documents try to have a simultaneous comment period. Mr. Sawyer commented that he was concerned about certifying the document before the close of the comment period because the possibility of the public thinking that it may be too late for them to comment if they think the EIS has already been approved. Mr. Shellhorn responded that staff is hoping in this situation is that under the EIR review period the comments from the California agencies have all been received.

Mr. Sawyer further commented that the draft EIR states that under the California-Nevada Interstate Compact once the allocations within California's share of allocations to various service areas become final the District will prepare and implement a program to stay within its allocations. Mr. Sawyer pointed out that in the response to comments there was mention of a proposal to include those allocations as part of a blanket water permit. Mr. Sawyer stated the California State Water Resources Control Board issued the water rights for 1979, and the staff report recommended that the 23,000 acre feet available to California be sub-allocated along three various areas corresponding to the three public utility districts. The sub-allocations would be set and then one of the means to assure that each of those areas stayed within its allocation would be issuance of a blanket water right permit which incorporates