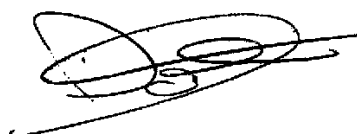


**TRPA
APC
PACKETS**

**FEBRUARY
1984**

*Long Range
Please Route*


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

NOTICE IS HEREBY GIVEN that on February 8, 1984 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.

NOTICE IS FURTHER GIVEN that upon adjournment of the Advisory
Planning Commission meeting the Resource Management Subcommittee
will meet in the same location to discuss the proposed Resource
Management and Water Quality Chapters.

NOTICE IS FURTHER GIVEN that on Tuesday, February 7, 1984,
commencing at 3:00 p.m. in the same location, the Transportation
and Air Quality Subcommittee will meet to discuss the working
draft ordinance for Transportation/Air Quality.

Dated: February 1, 1984

By:


Gary D. Midkiff
Acting Executive Director
Tahoe Regional Planning Agency

TAHOE REGIONAL PLANNING AGENCY
ADVISORY PLANNING COMMISSION

TRPA Office, 2155 South Avenue
South Lake Tahoe, California

February 8, 1984
9:30 a.m.

NOTE: On Tuesday, February 7, 1984, commencing at 3:00 p.m. in the same location, the Transportation/Air Quality Subcommittee will meet to discuss the working draft ordinance for Transportation/Air Quality.

Upon adjournment of the Advisory Planning Commission meeting on Wednesday, February 8, 1984 the Resource Management Subcommittee will meet in the same location to discuss the proposed Resource Management and Water Quality Chapters of the Revised Code of Ordinances.

PRELIMINARY AGENDA

- I CALL TO ORDER AND DETERMINATION OF QUORUM
- II APPROVAL OF AGENDA
- III DISPOSITION OF MINUTES
- IV PLANNING MATTERS
 - A. Plan Area Statements Update
 - B. Design Review Guidelines Update
 - C. Subcommittee Reports on Codified Ordinance
 - 1. Transportation/Air Quality → *informational only*
 - 2. Grading Chapter and Update on Resource Management and Water Quality Chapters
 - D. Other *Discuss status of plan*
- V ORDINANCE
- VI ADMINISTRATIVE MATTERS
 - A. Amendment to Rules and Regulations of Practice and Procedure Relating to Advisory Planning Commission Meeting Procedures
 - B. Consideration of Tahoe Transportation District Representative on the Advisory Planning Commission
- VII REPORTS
 - A. Staff Reports

B. Legal Reports

1. Requirements for Notice of Committee Meetings

C. Public Interest Comments

D. APC Members

VIII RESOLUTIONS

IX CORRESPONDENCE

X PENDING MATTERS

XI ADJOURNMENT

TAHOE REGIONAL PLANNING AGENCY

P.O. Box 8896
South Lake Tahoe, California 95731

2155 South Avenue

(916) 541-0246

MEMORANDUM

February 2, 1984

TO: TRPA Advisory Planning Commission

FROM: Mary Dailey

SUBJECT: APC Minutes, Agenda Item III

Included in the APC packet for February 8, 1984 meeting are the minutes for October 12, November 9, December 12, 1983, and January 11, 1984.

The minutes for September 14, 15 and 21, 1983 were deferred at the last APC meeting. Please include these minutes with your February packet. If you did not keep your copy of the minutes, please let me know in advance so that copies will be available for you prior to the meeting.

/md

TAHOE REGIONAL PLANNING AGENCY
ADVISORY PLANNING COMMISSION

TRPA Office, 2155 South Avenue
South Lake Tahoe, California

October 12, 1983 9:30 a.m.

Chairman Mike Harper noted at 9:45 a.m. that the APC members could discuss the Draft Environmental Impact Statement, Kings Run Phase II for information purposes until a quorum arrived. Mr. Harper also noted that the EIS would be scheduled for the November 9, 1983 APC meeting at which time the APC would determine the technical adequacy of the document.

Greg George, Chief of Project Review, explained that the staff would like to receive the APC's comments on the EIS which was mailed on September 23, 1983. The response document, which constitutes the final EIS, will be presented at the November APC meeting and from that point will go to the Governing Board for certification and action on the project.

Ms. Michael asked how the APC could deal with EIS's when the EIS for the Regional Plan and Regional Plan had not been adopted? Ms. Michael pointed out that it is not known if there is going to be an allocation system or what the funding will be for implementation and she asked how the APC can determine if the King's Run Phase II EIS is technically adequate? Mr. George responded that it was almost impossible at the present time to make a determination that this project or even any of the alternatives would be consistent with the new Regional Plan since all of the details of the new Plan were not known. Mr. George explained that the document has to identify all of the impacts resulting from the project and then identify mitigation measures which have been determined to reduce those impacts to a less than significant level. Mr. George stated that the Governing Board then has two choices to make in taking an action on this project once the document has been certified. They can either approve the project based on a finding that all of the impacts identified in this document have been mitigated to a less than significant level and then they can approve the project, or they could make a determination that for any particular impact that has not been mitigated to a less than significant level, that there are overriding social and economic considerations that will cause them to approve the project. These findings have to be made if the Board acts on Kings Run Phase II before the Regional Plan is adopted. Once the Regional Plan is adopted the Compact requires the Governing Board to make additional findings relative to consistency with the Regional Plan and the environmental thresholds. Mr. George further stated that the Kings Run draft EIS contained a comparative analysis of the environmental thresholds. Until the Regional Plan is adopted, projects do not have to be consistent with the environmental thresholds. A comparison was done and there is an identification of exactly how inconsistent a particular impact is with the environmental thresholds. Mr. George further clarified that the Kings Run EIS was being reviewed at this particular time because the project is presently in litigation.

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Ms. Michael stated that she felt that the APC was being forced to proceed on all of these projects coming before them, especially in the midst of important planning efforts for the Regional Plan, and being asked to determine the adequacy/inadequacy of EIS's all in the name of litigation. Ms. Michael suggested that a one or two month delay should not make a great deal of difference to the litigants and this project. Mr. George responded that if certification of the EIS goes to the Governing Board after adoption of the plan it will change the findings that the Board has to make in order to approve the project as a litigation settlement. Those findings would be related to the Plan and the consistency of this project with the Plan. The Governing Board would be required to make a determination that this project is consistent with the Plan which would assure them it's consistent with the environmental thresholds. Right now, before the Plan is adopted, that finding is not absolutely necessary for the Board to make.

Mr. Sawyer asked what the Regional Plan and its EIS assume in terms of allowable densities and projected traffic impacts, and does the Regional Plan assume that a project of this size will be built there? Mr. George responded no it does not; there are 76 existing condominium units related to this property and those have been accounted for. The remainder of the property where this project is proposed, is divided into three or four parcels. When the Long Range Planning Division did the analysis of existing land use they counted those parcels as one building site. The base data for development of the Regional Plan EIS does not include the 295 unit tentative map which is the basis for a claim of vested right in the litigation.

Michael Langs, Attorney, representing the Senior Corp., who will be the owners of the property, explained their position is that they don't have to be consistent with the new Plan; that this is a vested right matter going back to a 10 year old final map; that the risk of trying this case in Boston becomes greater if they wait for the Plan and then have to wrestle with a tougher decision on consistency. The idea with the proposal was to settle this claim of a vested right to finish the 198 unbuilt units on the site. The plan that is shown in the draft document was essentially half of that to try to get as close to compliance with the thresholds and other requirements in the the Basin, coupled with mitigation measures that would be imposed by the Board. Mr. Langs stated that he could appreciate why the APC would want to wait, but then there would be a more difficult legal problem which may be irreconcilable, and we would have to try it.

Mr. Harper noted that this was the same type of issue the APC confronted with the Brockway project where the settlement of the litigation wasn't really contingent upon APC's approval of the EIS, but it really was, and he asked if this was the same situation. Mr. Langs responded that the applicant will try to get the Board to act not only on the adequacy of this document, but also the project approval, and not have further discretionary approvals required, but there will a number of ministerial things that have to be done, including amending the final map. Mr. George added that the situation in Brockway was somewhat beyond the control of the Agency and the staff in processing that project, which was the basis for a litigation settlement; without approval of the project the primary basis for that litigation settlement wasn't there. Mr. George explained it was processed and later on there was some concern raised by

Lahontan and the settlement didn't go through because a lawsuit was filed. Mr. George stated that the same situation may arise in this case and staff realizes that, but in this case, they have tried harder to coordinate with Placer County and Lahontan to get a determination on whether there will be a lead agency and if there will be any document prepared under CEQA. Staff was confronted with a fairly tight timeframe, which they tried to respond to. They prepared a scope of work, draft EIS and, there is still not a definite position regarding a document that might be required under CEQA. There is going to be a review of this environmental document (EIS) by Placer County at the time they are required to amend the final map.

Mr. Combs stated the litigation on Brockway, as pointed out, centered on the issue of whether or not the project was subject to CEQA review, and obviously, in this case, there is a feeling on some people's part that it is again. Placer County Counsel's position was that it was not subject to CEQA review. Mr. Combs further stated that when this came before the litigation committee months ago, he attended the meeting for Placer County Supervisor Larry Sevison and there was a general consensus at that meeting to try to avoid the same Brockway confusion again and it was decided to prepare a CEQA document. But then the draft document came out as an EIS and not an EIR. Mr. Combs noted that it is Placer County Counsel's feeling is that it is not subject to CEQA, but the California Water Resources Control Board feels that it is, and the expediency that we had hoped to accomplish is going to be lost because of the indecision of whether a CEQA document will be necessary.

Mr. Sawyer commented that Placer County Counsel's position, which he had not seen, is not necessarily inconsistent with the Regional Board's position. Under CEQA, one agency may have to do an EIR and the other may have a ministerial approval, but that is where there is a difference in opinion. Mr. Sawyer stated that with the Regional Board's position it's clearly discretionary that an environmental impact report will be needed, assuming significant impacts which this EIS says there are, so the positions aren't inconsistent. Mr. Sawyer added that one of the difficulties in the Brockway situation was that the applicant claimed that Lahontan had no jurisdiction nor authority to issue waste discharge requirements for the project. The difficulty was by the time the applicant had exhausted his administrative remedies on that issue the statute of limitations on the EIS would have expired. Mr. Sawyer stated that he would like to have it clearly decided that the Kings Run project will go through Lahontan and there will be CEQA review as required. The applicant can make his arguments about whether it is discretionary or not, but it is important to know whether the applicant is alleging that it is beyond our review or not because that will affect our decision as to how important it is to demand a joint EIR-EIS at this time.

Mr. Langs commented that with the cooperation received from the TRPA staff, that the applicant had proceeded in precisely the manner that was described and discussed in the litigation committee meeting. Mr. Langs added that the applicant is not trying to avoid Lahontan if there is a waste discharge requirement, but that it doesn't make sense in this context to have two simultaneous processes going with two groups of people exercising discretion. Mr. Sawyer responded that a joint EIR-EIS is a proven means of working out differences and that there will be either a joint EIR-EIS or a subsequent one which is absolute from the standpoint of the California Water Resources Control Board.

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Mr. George suggested that the APC concentrate on the purpose of the requirements of the Compact and the decisions that had been made by the Governing Board relative to this litigation settlement. The decision was that an EIS had to be prepared, and that the preparation of the EIS on this project was no different than any other project. The APC is to review that document and make sure that all the significant environmental impacts have been clearly identified and the magnitude of those impacts have been identified along with the mitigation measures. If the APC feels there are not enough alternatives or if there are alternatives that are reasonable that haven't been assessed, or if the impacts have not been adequately addressed or, if feasible, mitigation measures haven't been considered, those are the kind of comments that are needed from the APC. The litigation is a matter that the Board will have to deal with.

Mr. Randolph commented that from the standpoint of the 100 units, the applicant cannot mitigate all of the impacts of VMT satisfactorily. Mr. Randolph asked if there is any evidence if the California Department of Transportation had been advised that they may be required to do something, and if so is it in their budget? Mr. Randolph also asked if they had responded that they may be required to do some of the work? Mr. George responded that Caltrans had received a copy of the document but that no written comments had been received.

Mr. Randolph commented that he did not see any indication that there had been an analysis and what the analysis was for each of the mitigation measures. He noted there are some numbers, but he asked what is the analysis that comes to those numbers and what is the background/basis for those numbers? Mr. Randolph suggested that it would be a good idea to know whether or not these are really the impacts. Mr. Randolph also noted that the document stated a 60 unit project wasn't viable from an economic standpoint and he asked if a 60 unit project offset all the impacts? Are there enough mitigation measures with a 60 unit project where the impacts are mitigated? If so, what does 70 do, or is 100 units the bottom line or anything less than 100 and you're out of business?

Mr. Langs replied that 100 units was the bottom line. He explained that what occurred during discussions with TRPA and CTRPA in January and February of this year with Bill Combs, Larry Sevison, Greg George and Gary Owen. Rather than posturing back and forth on this litigation about 198 units, the applicant made a realistic proposal and got to the bottom line right away and did not waste time posturing for it.

Mr. George stated that if the document concludes that the impacts cannot be mitigated and there will be unavoidable impacts resulting from the project, that will be the basis for the Governing Board to make a decision. They will understand what the impacts are going to be; they are going to have to weigh the pros and cons of the litigation and make a decision. They may have to make a decision relative to a particular impact, whatever it may be, that there are overriding social and economic considerations that cause them to approve the project, even though there will be impacts.

Mr. Sawyer agreed that the APC should face squarely the issue of whether it was proper to process this EIS before completing the Regional Plan and make a decision as to a recommendation whether that is the way to proceed. He also thought that the APC should make a decision on the separate EIR-EIS process, and

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he hoped that between now and the completion of the final EIS the APC could settle on a document that the Regional Board could use and on a process so that there was no misunderstanding on the procedure.

Mr. Sawyer asked for the inconsistency with the air quality thresholds to be briefly summarized. Anders Hauge, QUAD Consultants, responded that the summary summarized the impacts on air quality. In working with the staff they looked at the minute amount of increase and from their standpoint as consultants and dealing with EIR's and EIS's they did not feel that it was significant. Mr. George pointed out that it was beyond the impacts addressed in the thresholds and, therefore, the staff preferred to call it a significant impact.

Mr. Sawyer asked if this was a 10% VMT threshold that the APC was looking at? Mr. Hauge responded yes and he referred to the summary page, starting with impact 3, which said the project will increase vehicle miles travelled by 0.15% over the 1981 Basin figure, while the threshold is to reduce the vehicle miles travelled by 10%. Mr. Hauge explained this project cannot reduce the vehicle miles travelled. Hundred unit condominiums are selling in the range of \$150,000 to \$250,000. A bus system would help a bit, and mail service would help, but based on this project you are never going to reduce total vehicle miles travelled in the Basin. Mr. Hauge added that the carbon monoxide is still below the threshold, but there is the feeling that there is so little room left between the existing ambient levels and the threshold, that this project is a significant increase coming close to the threshold. Mr. Hauge stated that with the recommended mitigation, a modification of signalization at 89 in Kings Beach, there is an overall decrease, but it would take that mitigation, and it is not the traffic flow at the project.

Mr. Sawyer referred to page 4-66, Table 4-29, and asked how was the land basis evaluating the equal project computed? Mr. Hauge responded that the firm Williams-Kuebelbeck sent QUAD a letter explaining the definitions, which Mr. Hauge read, but he stated that the term 'land basis' was not defined in the letter. Mr. Hauge stated that he would have to find out what the land basis is. He assumed that it relates back to the value of property that Senior Corporation has in this project at the present time, or basically it's a lien they hold against the property.

Mr. Sawyer suggested that Mr. Hauge contact Mike James on the Regional Board staff to look at the coverage issue before the ground is covered with snow.

Mr. Hauge added that his intent was to contact each agency over the next two weeks that would possibly have comments that could be adequately responded to.

Mr. Combs commented with regard to the discussion of recreation on pages 4-63 and 4-64, there was more or less a conclusion made that there are adequate recreational facilities in the area and no mitigation would be proposed. Mr. Combs suggested that when this comes up for project review, the county will likely require either dedication of land for park and recreation purposes, or in lieu fees. Mr. Combs noted the legal authority for that is under the Quimby Act which was part of the litigation proposals for Chambers Landing and Brockway.

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Referring to the amendment documents, Mr. Combs commented on the letter from Williams and Kuebelbeck, which discussed the allocation program, and he pointed out the statement in the letter was erroneous. Mr. Combs stated that some of the statements may apply to certain jurisdictions, such as the rules of the lottery system "that once a selected applicant is drawn they have 12 months to obtain the permit and construct the unit", but that the rule is that if an individual is selected they have a certain amount of time to obtain a building permit and that under the Uniform Building Code they have up to three years in California to actually construct the unit. Mr. Combs further pointed out that the statement saying "that the counties or cities have the option to actually reduce the number of building sites that are entered in the drawing, and that several local real estate brokers have claimed that Placer County had limited its allotments in the last couple of years", is completely and factually inaccurate as well. Mr. Combs added that he thought the issue that this project will not become a timesharing project should be addressed. Since there are a great deal of assumptions made about vehicle trips and occupancy rates, the assumptions look valid if these are accepted as being more or less single family units and not put into a timeshare market.

Ms. Michael commented that in the summary certain mitigation measures are recommended relating to vehicle miles travelled, such as instituting and encouraging carpool/vanpool programs, and then on page 4-52 they're not included as mitigation measures. Ms. Michael pointed out that in the regional transportation plan that the APC adopted and recommended to the Governing Board, in the first 5 years of the plan, the Tahoe Transportation District will hopefully institute TART service on Highway 267 which was identified as a mitigation measure for establishing a flagstop for Kings Run. Ms. Michael stated that she would like to see something a little bit more than a flagstop, and she thought that the mitigation measures in transportation fell far short of what the transportation plan is trying to accomplish; that some mention of TART service being instituted, and also a bus stop should be included. Ms. Michael also agreed that contacting Caltrans was important; to include the negotiations and the timing of the TART service, and whether or not Kings Run has a role in contracting for that service. Mr. Hauge responded that TART service had been looked into but was not identified by name.

Ms. Sparbel commented on the recreation element that studies show, in Nevada, that in the Tahoe region of the Nevada side there are inadequate recreation facilities. The planning section of the State of California Department of Parks and Recreation has done a fair amount of studying also of that issue in the region. Ms. Sparbel suggested that Mr. Hauge might want to contact the planning section in Sacramento and they may be able to provide information.

There were no further comments on the discussion of the Draft Environmental Impact Statement, Kings Run Phase II.

Mr. Hauge announced that the California Chapter of the American Planning Association met at Fallen Leaf Lake. They gave the Tahoe Regional Planning Agency a Meritorious Program Award for the Environmental Threshold Carrying Capacity Report and Environmental Impact Statement. Mr. Hauge explained that this will then be submitted to the National Awards Jury for consideration. Mr. Hauge offered his congratulations to all who participated in this effort.

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I CALL TO ORDER AND DETERMINATION OF QUORUM

Chairman Mike Harper called the meeting of the Advisory Planning Commission to order at 11:15 a.m. It was noted that a letter from Lew Dodgion designating Verne Rosse as his alternate for the October 12, 1983 APC meeting was received.

APC Members Present: Mr. Milam, Mr. Combs, Mr. Randolph, Mr. Hoefler, Ms. Sparbel, Mr. Sawyer, Mr. Rosse, Ms. McMorris (arrived at 1:30 p.m.), Mr. Hansen, Mr. Curtis (arrived at 2:30 p.m.), Ms. Michael, Ms. Bogush (arrived at 1:50 p.m.) Mr. Harper

APC Members Absent: Mr. Renz, Mr. Sullivan, Mr. McMullen, Mr. Pyle, Mr. Poppoff

II APPROVAL OF AGENDA

There were no changes to the agenda.

III DISPOSITION OF MINUTES

The APC deferred action on minutes of July 14-15, August 4-5, and August 10-11.

IV PLANNING MATTERS

B. Amendments to Regional Plan Goals and Policies

1. Implementation Element

Suggested amendments to the Regional Plan Goals and Policies draft dated June, 1983, and further refinements to the draft dated September 23, 1983 of the Implementation Element are underlined.

- Page 104 - Table 1 - General Planning and implementation responsibilities shared among the TRPA, local, state, and federal agencies as set forth in the bi-state compact or agreed to in a Memorandum of Understanding.
- Page 107 - Add to Phase I Priorities B. 4. government assisted housing.
- Page 108 - Amend B. 3. government assisted multi-family housing and related commercial and public facilities in existing urban areas
- Page 110 - Phase II -- implemented upon availability of adequate funding to carry out Phase II of the capital improvements program [staff was directed to define adequate funding]
- Page 118 - Revisions to Table 2. Performance Targets were distributed to APC and discussed at length.

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MOTION by Mr. Sawyer, with a second by Ms. Michael, that the APC approve Table 2 and request staff to revise the VMT reductions and the NO_x emission reductions to reflect the current transportation plan; with DIN load^x reductions from surface runoff as revised and footnote (3) as revised; with SEZ restoration as revised. Amended by Ms. Michael, to revise Policy 1 that the Agency shall use the performance standards below to evaluate progress in implementation of the Regional Plan as it relates to water quality and transportation related thresholds. Further amended by Mr. Sawyer, the TRPA shall use the performance standards below to evaluate progress in implementing the Water Quality and Transportation Elements of the Regional Plan. Based on the degree of success in meeting performance standards and based on results of the monitoring program, TRPA shall make adjustments to the Regional Plan.

Parameter	I	II	III	IV
1. Funding (\$M - 1982)	<u>65.9</u>	<u>125.5</u>	<u>207.9</u>	259.0
2. VMT reduction (mi/day)	33,400	90,000	170,000	268,000 ⁽¹⁾
3. NO _x emissions (T/day) reductions ⁽²⁾ (average summer)	1.25	1.25	1.15	1.17
4. DIN load reductions (3) from surface runoff (3) (T/yr)	<u>2.5</u>	<u>3.75</u>	<u>4.6</u>	5.0
5. SEZ restoration ⁽⁴⁾ (acres)	<u>480</u>	<u>840</u>	1080	1200

Revise footnote (3) 1981 loading rate = 10 T/year. These projections are based on the priorities set in the current 208 Plan and the cost-effectiveness estimated for those priorities in the current 208 Plan. If Part II modifies the priorities this row will be modified to represent those priorities at the expenditure level shown in the first row.

The motion carried on the following vote:

Ayes: Mr. Milam, Mr. Randolph, Mr. Hoefer, Mr. Sawyer, Mr. Rosse,
Ms. Michael
Nays: Mr. Combs, Mr. Hansen, Mr. Harper
Abstain: Ms. Sparbel
Absent: Mr. Renz, Mr. Sullivan, Mr. McMullen, Mr. Pyle, Ms. McMorris,
Mr. Curtis, Mr. Poppoff, Ms. Bogush

Ms. Sparbel explained her abstention was not an objection to the motion nor the table, but that she would like to see more detailed and expanded figures.

Mr. Harper agreed with Ms. Sparbel and explained that his vote was not an objection to the chart, but that he felt the chart could be expanded and more detailed.

Mr. Combs stated that he was comfortable with the straight line recommendation, but what he saw happening to items 1, 4, 5 would be to go a convex type of projection and he was not sure that was realistic at this time.

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The APC returned their discussion to development and implementation priorities with further recommendations for revisions beginning with Goal 2 of the June, 1983 draft. Mr. Sawyer commented he was concerned with the figure of 750 new single-family residential units based on staff's estimate of buildable lots in multi-density over a 20 year period. The APC proposed a 5 year moratorium on land capability 1-3 and consistent with that, the straight line buildout number should be changed to 650. Mr. Sawyer also stated that during the first 5 years there will be no construction of new units in the South Tahoe Public Utility District (STPUD) service area and development may shift to the other half or two-thirds in the Basin by having the same number apply when no development will occur in the service area.

Mr. Combs commented that implementing this plan without some controlled growth program would be unachievable, and history shows that there has been a pattern of limitations on permits. Mr. Combs felt that an allocation system was necessary because if there is a window left open for no restrictions whatsoever on permits there could be a real possibility for panic permit seeking in the Basin. Mr. Combs pointed out the Regional Plan is geared throughout the elements toward periodic monitoring for achievement of the thresholds, and it would be totally inconsistent to have any sort of monitoring program when in fact lifting of the allocation system could result in a buildout of the remaining capacity in a very short time.

Mr. Harper commented that he thought an allocation system was a mistake because eliminating an allocation system does not mean eliminating the ability to control growth; it just means that artificial numbers will not be set. He stated there is a good controlled growth methodology in an evaluation system that can be very restrictive at the start to make sure that development is on the best lands without setting a particular number. Mr. Harper further stated that the 750 number had no magic to it, and he felt it was an artificial limit. He pointed out that the California side experienced that rush for the simple reason that limits have been set. Mr. Harper suggested that if the limits are eliminated, the way to take care would be to set up an evaluation system that directs growth in line with the capital improvements program, and in line with the ability to reach certain goals. It is much more definite and better tied to the Plan than setting a limit of 750 permits. Mr. Harper added that he would prefer to see a system that allocates permits qualitatively instead of quantitatively.

Mr. Sawyer pointed out that the EIS estimates the market demand at 1,600 permits per year if there is no allocation system and he felt that was realistic considering the number of applications that are presently received in the Placer County and El Dorado County lotteries, and considering the fact that the lot owners will never be assured that the rules will stay the same. They have good reason to think that perhaps five years from now the monitoring will show the problems still exist and we will have to tighten up. Mr. Sawyer felt that we will never have the ideal market that might have resulted in something less than 1,600 permits. Mr. Sawyer added that in order to be consistent with the EIS we cannot afford to go without an allocation system.