

**TRPA  
APC  
PACKETS**

**SEPTEMBER  
1984**

David Greer

**TAHOE REGIONAL PLANNING AGENCY**

APC packet

P.O. Box 8896

South Lake Tahoe, California 95731

2155 South Avenue

(916) 541-0246

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

NOTICE IS HEREBY GIVEN that on September 12, 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.

Date: September 4, 1984

By: Gary V. Midkiff  
Gary V. Midkiff  
Acting Executive Director  
Tahoe Regional Planning Agency

TAHOE REGIONAL PLANNING AGENCY  
ADVISORY PLANNING COMMISSION

TRPA Office, 2155 South Avenue  
South Lake Tahoe, California

September 12, 1984  
9:30 a.m.

PRELIMINARY AGENDA

- I CALL TO ORDER AND DETERMINATION OF QUORUM
- II APPROVAL OF AGENDA
- III DISPOSITION OF MINUTES
- IV PUBLIC HEARING (continued)
  - Plan Area Statements - Washoe and El Dorado Counties
- V PLANNING MATTERS
  - A. Draft Water Quality Ordinance, Chapter 7
  - B. Draft Transportation/Air Quality Ordinance, Chapter 8
  - C. Action on the TTD Short-Range Implementation Plan  
*Buckley Plan @ Tim Letter Brennan*
  - D. Regional Plan Status Report  
*B. J. Murphy, Del Luine -*
    - 1. Progress of Ordinances
    - 2. Plan Area Statements
    - 3. Regional Transportation Plan Update
- VI REPORTS
  - A. Staff
  - B. Legal Counsel
  - C. Public Interest Comments
  - D. APC Members
- VII RESOLUTIONS
- VIII CORRESPONDENCE
- IX PENDING MATTERS
- X ADJOURNMENT

*Approve the Transportation element of the Regional Goals & Policies Plan to submit to Caltrans as our Regional Transportation Plan [we are the Regional Transportation Agency designated by Caltrans] Every 2 years Caltrans requires a transportation plan update and for this year we are planning to send them the*

# TAHOE REGIONAL PLANNING AGENCY

P.O. Box 8896  
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## MEMORANDUM

September 4, 1984

To: The Advisory Planning Commission

From: The Staff

Subject: Plan Area Statement Hearing

Included in the APC packet is a draft of the staff-recommended introduction for the Plan Area Statement document and drafts of the Washoe County and El Dorado County Plan Area Statements as recommended by the Plan Area Committees for these two jurisdictions.

The Plan Area Committees for the other three jurisdictions are still continuing their reviews, and recommended drafts will be before the APC at the October meeting.

At this time, the APC is requested to review the introduction and the two sets of Plan Area Statements and to approve a recommended draft to be forwarded to the Governing Board and to the public. It should be noted that the new development limitation numbers included in the Plan Area Statements are tentative, since the input of the Tahoe Basin Association of Governments (TBAG) relative to the distribution of commercial and multi-residential development has yet to be received.

GWB:jf

9/4/84

AGENDA ITEM IV

# TAHOE REGIONAL PLANNING AGENCY

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

2155 South Avenue

(916) 541-0246

## MEMORANDUM

September 5, 1984

TO: Advisory Planning Commission

FROM: Agency Staff

SUBJECT: Re-draft of Water Quality and Water Resources Chapter, Code of Ordinances

In response to comments received at the August APC meeting, the staff has redrafted Chapter 7 of the Code of Ordinances. Changes have been made to the sections on runoff controls (7.01.02), snow disposal (7.01.03), pesticide use (7.01.06), and mitigation fees (7.02.02).

The water quality subcommittee of the APC has not yet reviewed these changes. The staff will work with the subcommittee members prior to the September meeting to obtain feedback on the changes, and will inform the APC of pertinent comments on September 12.

Please contact Dave Ziegler (916-541-0249) or Jon Hoefer (916-544-6420) if you have any questions or comments on the redraft of Chapter 7.

AGENDA ITEM V. A.

CHAPTER 7

7.00.00.0 WATER QUALITY AND WATER RESOURCES PROVISIONS: Along with portions of Chapters 2 and 4, this chapter carries out, as appropriate, the water quality subelement and portions of the Public Services and Facilities element of the Regional Plan. This chapter also implements, in part, the Agency's programs to attain and maintain federal, state, and local water quality standards, under Article V(d) of the Tahoe Regional Planning Compact.

7.01.00.0 WATER POLLUTION CONTROL:

7.01.01.0 Discharge Limitations: The intent of this Section is to set forth standards (environmental thresholds) for the discharge of runoff water from properties in the Tahoe region, and to prohibit the discharge of domestic, municipal, or industrial wastewaters in the region. These standards and prohibitions apply to discharges to both surface waters and groundwaters. The Agency presumes that compliance with the requirements of the Regional Plan, including the application of "best management practices" (or "BMP's") will allow all persons to meet the runoff thresholds, until and unless monitoring tests prove otherwise. State water quality agencies will also issue discharge permits in the region under state and federal law, in accordance with the water quality management plan.

7.01.01.1 Applicability: All discharges to the waters of the region shall not exceed the following standards:

- a. Surface Runoff: Pollutant concentrations in surface runoff shall not exceed the following readings at the 90th percentile:

<u>Constituent</u>	<u>Maximum Concentration</u>
Dissolved Inorganic	
Nitrogen as N	0.5 mg/l
Dissolved phosphorus as P	0.1 mg/l
Dissolved Iron as Fe	0.5 mg/l
Grease and Oil	2.0 mg/l
Suspended Sediment	250 mg/l

- 1) If the constituent levels of water entering a site from upstream areas are of a superior or equal quality to the above, those waters should meet the quality level listed above prior to discharge from the site.

2) If the constituent levels of waters entering a site do not meet the above, there should be no more than a 10% increase in the concentrations of these constituents in water discharged from the site, based on a 24 hour average.

b. Discharges to Groundwaters: Waters infiltrated into soils should not contain excessive concentrations of nutrients which may not be effectively filtered out by soil and vegetation and shall not exceed the following maximum constituent levels:

<u>Constituent</u>	<u>Maximum Concentration</u>
Total Nitrogen as N	5 mg/l
Total Phosphate as P	1 mg/l
Iron	4 mg/l
Turbidity	200 JTU
Grease and Oil	40 mg/l

Where there is a direct and immediate hydrologic connection between ground and surface waters (i.e., saturated flow conditions), discharges to groundwater shall meet the standards for surface runoff. This part includes maximum turbidity values to protect infiltration devices from siltation. Persons shall utilize sediment traps consistent with the Handbook of Best Management Practices upstream of infiltration devices which may be subject to excessive levels of siltation.

c. Prohibition of Wastewater Discharge: The discharge of domestic, municipal or industrial wastewater to Lake Tahoe, its tributaries, the groundwaters of the Tahoe region, or the Truckee River within the Tahoe region is prohibited, except for discharges existing on the date of adoption of this Code under alternative plans for wastewater disposal approved by the state agency of appropriate jurisdiction.

1) Holding Tanks and Other No-Discharge Systems: To avoid a discharge of wastewater that is prohibited under Subsection 7.01.01.0, holding tanks in existence on the date of adoption of this Code and approved by the state agency of appropriate jurisdiction are permitted. New holding tanks or other no-discharge systems may be used, only in the following instances:

- i. As a temporary measure associated with a temporary use, including but not limited to sporting events, community events, and construction.
- ii. As a permanent measure associated with remote public recreation sites, including but not limited to trailheads and undeveloped walk-in campgrounds.

7.01.02.0 Runoff Controls: To meet the runoff discharge standards of Subset 7.01.01.1(a) and (b), all persons who own or manage land within the region shall apply best management practices as generally set forth in the Handbook of Best Management Practices. BMP's consistent with the Handbook shall specifically be applied to all compacted areas, denuded areas, cut slopes, and fill slopes. In cooperation with other agencies, such as the Conservation Districts, the Agency shall provide technical assistance to all persons who require it for the application of BMP's. Application of BMP's shall be mandatory for all new development. With respect to existing development, the Agency shall require BMP's as set forth in 7.01.02.4. After five years, however, all persons who own or manage land within the region must either have BMP's in place, and maintain them, or have agreed to a schedule of compliance. The Agency shall develop a program to certify compliance with these requirements.

7.01.02.1 Best Management Practices: Best management practices as described in the TRPA Handbook of Best Management Practices shall include, at a minimum, the standards of Subset 2.03.05. Where special circumstances obviate the need for standard BMP's, the TRPA Executive Director shall prescribe required BMP's based on best professional judgment.

7.01.02.2 Other Management Practices: For situations not covered in the Handbook of Best Management Practices, the TRPA Executive Director may define required BMP's based on best professional judgment.



7.01.02.3 Compliance with Application of Best Management Practices (BMP's): Unless specified elsewhere in this Code, application of BMP's shall be mandatory five years after the adoption of this Ordinance, unless there is a schedule of compliance approved by the Governing Body which sets a different deadline. For projects included in the Water Quality Capital Improvements Program, the schedule shall be consistent with with 20-year CIP. In addition, application of BMP's will be required as follows:

- a. Under a mandatory action required to abate pollution from a gross violation requiring immediate action, pursuant to Subsection 1.16.00.0 of this Code.
- b. As a mandatory condition of approval for all new development approved by the Agency. (See also 2.03.05.)
- c. Under a clean-up order from the state agency of appropriate jurisdiction.

7.01.02.4 Maintenance of BMP's: All BMP's shall be maintained as described in the Handbook of Best Management Practices. For situations not covered in the Handbook, the TRPA Executive Director may prescribe appropriate maintenance practices, based on best professional judgment.

7.01.02.5 Vegetation Protection: All property owners and public property managers shall protect the vegetation on their property from damage in accordance with the provisions of Chapter 6 of this ordinance.

7.01.03.0 Snow Disposal: All persons conducting public, commercial or private snow removal operations in Tahoe Region shall dispose of snow in accordance with site criteria and management standards in the Handbook of Best Management Practices, the design review guidelines, and the criteria below.

- a. Minimum Requirements for Snow Removal from Individual Parcels: Removal of snow shall be limited to structures and paved areas. No vegetation shall be removed nor shall any grading occur in the act of snow removal. The TRPA will encourage all persons to utilize appropriate provisions to confine snow removal to structures and paved areas.

- b. Minimum Requirements for Snow Storage at New Development: All new development shall provide areas sufficient to contain the expected volume of snow, in accordance with data provided by the Soil Conservation Service. Plans for new development shall designate stable snow storage areas with infiltration systems of sufficient capacity for the melt volume. Acceptable storage areas shall not include areas adjoining streams or the shoreline of lakes.
- c. Minimum Requirements for Streets and Highways: Public agencies performing highway and street snow removal operations shall not grade road shoulders in the process of clearing roads. To control air quality problems caused by reentrained dust, sand, cinders and other particles shall not be allowed to accumulate and shall be removed utilizing highway vacuum equipment or other equally-effective techniques for controlling dust. State and local highway maintenance crews may clear snow from unpaved road shoulders as necessary to provide safe turnouts for slow or disabled vehicles.
- d. Minimum Requirements for Dirt Roads: Snow removal from dirt roads is prohibited unless authorized in a TRPA permit. Where a TRPA permit authorizes snow removal from a dirt road, it shall specify required winterization practices, necessary BMP's, the specific means of snow removal, and a schedule for either paving the dirt road or eliminating the need for snow removal.
- e. Compliance with Snow Removal Minimum Requirements: Application of the minimum requirements in (a), above, shall be required as set forth in 7.01.02.4. Sections (b) through (d), above, shall take effect upon the adoption of this Code.

7.01.04.0 Salt and Abrasive Control: Salt and abrasives used to control ice on streets, highways, and parking areas shall be regulated in accordance with the following standards:

- a. Storage Areas: Storage areas for deicing salt shall be in conformance with the TRPA Handbook of Best Management Practices.

- b. Reporting: The Highway Departments and other large users of salt identified by the TRPA Executive Director shall initiate a tracking program to monitor the use of deicing salt in their respective jurisdictions. Annual reports shall be presented to the Agency on June 1st and shall include information on the rate, amount, and distribution of use. This information shall be presented in a format developed by TRPA, and must be verifiable.
  
- c. Restrictions: The use of deicing salt and abrasives may be restricted where damage to vegetation in specific areas can be linked to their use, or where their use results in other environmental impacts. After consultation with salt and abrasive users, and after consideration of public safety concerns, the Agency may require mitigation for the use of road deicing salt or abrasives. Such mitigation may include requirements to use alternative substances, or changes in distribution patterns, frequency of application, and amount of application. Revegetation of some sites will be required where evidence indicates deicing salts have caused vegetation mortality.

7.01.05.0 Sewage Spills: Sewage collection, conveyance, and treatment entities shall have spill contingency, prevention, and detection plans approved by the TRPA at least every three years.

7.01.05.1 Cooperative Plans: Such agencies may join together to develop cooperative plans, provided that the plans clearly identify those agencies covered by the plan and are agreed to by each agency.

7.01.05.2 Spill Plan Criteria: Spill contingency, prevention, and detection plans shall comply with the criteria set forth by the Agency. Such plans shall include provisions for detecting and eliminating sewage exfiltration from sewer lines and facilities.

7.01.06.0 Pesticide Use: The use of insecticides and herbicides within the Tahoe Basin shall be consistent with the Handbook of Best Management Practices and shall meet the criteria set forth below:

7.01.06.1 Criteria for Agency Review:

- a. Registered Chemicals: Only chemicals registered with the Environmental Protection Agency and the state agency of relevant jurisdiction shall be used and only for their registered application.
- b. Alternatives: Alternatives to chemical application must be employed where feasible in terms of effectiveness, cost, and environmental impact.
- c. Stream Environment Zones: No detectable concentration of any pesticide shall be allowed to enter any stream environment zone unless approved for use in accordance with a TRPA permit.

7.01.07.0 Vessel Wastes: See provisions of 4.07.02.0.

7.01.08.0 Fertilizer Management: See provisions of 6.06.02.0.

7.01.09.0 Off-Road Vehicles: See provisions of 6.05.03.0.

7.02.00.0 WATER QUALITY MITIGATION:

7.02.01.0 Required Offsets: New residential, commercial, and public projects in the Tahoe region shall offset 150% of the water quality impacts of the project through one of the following methods:

- a. Mitigation Projects: Implementing off-site water quality control projects as a condition of project approval and subject to Agency concurrence as to effectiveness. Should the applicant wish to exercise this option, the plans for the offsite project must be included with the project application and be approved in conjunction with the project; or
- b. Mitigation Fund: Contributing to a fund established by the Agency for implementing offsetting programs. The amount of such contributions is established in Sub-section 7.02.02.0.

7.02.02.0 Fee Schedule: When a person or public entity responsible for a new residential, commercial, or public project elects to offset the water quality impacts by contributing to a fund established by the Agency for implementing such offsets, a fee shall be assessed in accordance with the table below. Such fees must be received by the Agency within 30 days of project approval or when the permit is issued, whichever is

sooner. Mitigation fees are not refundable except when an approval is invalidated, or when the applicant requests revocation of the approval within three years of the approval date.

- a. Base Fees: In the first year after adoption of this Code, the base fee of \$.25 shall be assessed for each new square foot of land coverage (net for the site) created within the limits of the coefficients set forth in Subsection 2.02.04.0, Limitations on Land Coverage.
- b. Fees Where Coverage Exceeds the Bailey Coefficients: In the first year after adoption of this Code, the following fees shall be assessed for each new square foot of land coverage when the total coverage created exceeds the limits of the coefficients set forth in Subsection 2.02.04.0:

	<u>Land Capability</u>	
	<u>4-7</u>	<u>1-3</u>
Total coverage less than 30%	\$.45	\$.80
Total coverage exceeds 30%	\$.85	\$1.15

- c. Multiple Land Capabilities: The Agency will assess fees for addition of impervious coverage on parcels with multiple land capabilities based on the actual coverage located on each specific land capability class.
- d. Inflation Adjustment: The Executive Director will adjust the fee schedule in (a) and (b), above, for inflation each year based on changes in the construction cost index of the Engineering News Record.

7.02.03.0 Exemptions. The following activities which create impervious coverage shall be exempt from water quality mitigation requirements:

- a. Activities where there is a net reduction of coverage which existed prior to development of the proposed project and total resulting coverage is less than allowable coverage. (This rule shall apply to approved redevelopment plans under Section 9.05.00.0.) For the purposes of this section, coverage is defined as the footprint of existing structures and pavement.
- b. Impervious coverage which is permitted as a result of transfer-of-development-rights.
- c. Public projects included in the Agency's water quality Capital Improvements Program.

7.02.04.0 Use and Distribution of Mitigation Funds: The Agency shall collect and administer mitigation fees based on the offset requirements and such fees shall be known collectively as the Water Quality Mitigation Fund. The mitigation fees shall be deposited into commercial bank accounts, liquid asset funds, and/or purchase of certificates of deposits.

Water Quality Mitigation Funds shall be disbursed to the counties or city upon request for expenditure on remedial erosion control projects within the jurisdiction of origin for such funds as set forth in the Regional Plan and with the approval of the Agency. However, in no case shall any local jurisdiction (except Carson City, Nevada) receive less than 5% nor shall any local jurisdiction receive more than 50% of the total mitigation funds disbursed in any TRPA fiscal year, provided that the jurisdiction has applied for such funds within the fiscal year.

7.02.05.0 Monitoring Set-Aside: To evaluate the effectiveness of water quality mitigation measures, 5% of collected mitigation funds will be spent on water quality monitoring under the Interagency Tahoe Monitoring Program, for carrying out, in part, the Monitoring and Evaluation Program of the Regional Plan.

7.02.06.0 Administration Set-Aside: One-half percent of the total Water Quality Mitigation fund balance per month will be utilized for the TRPA administration of the fund. However, at no time shall such administration costs exceed 1/2 of the monthly investment income.

7.02.07.0 TRPA Revolving Fund: The TRPA shall also establish a fund, to be known as the Water Quality Revolving Fund, for the purpose of depositing funds received through grants, fines, and contributions. The TRPA may make grants from this fund to units of local government, and other public entities as appropriate, for abatement and control of water quality problems in the Tahoe region.

7.03.00.0 WATER SUPPLY AND CONSERVATION:

7.03.01.0 Water Conservation Devices: All new development shall employ appropriate measures to conserve water and reduce energy consumption. Existing development shall be retrofitted voluntarily in conjunction with a public education program operated by the water purveyors and the utility districts. (See also the Design Review Guidelines, Water Conservation Element.) Implementation of these measures shall, however, be completed within 5 years of plan adoption.

7.03.02.0 Water Rights Demonstration: No additional development requiring water shall be allowed in any area unless it can be demonstrated that there is adequate water supply for that development with an existing water right. Where the adequacy of a water supply or water right is challenged by Agency staff or any other person or party, the water purveyor shall provide documentation of adequate rights and supplies prior to the issuance of a permit by the TRPA. No water purveyor shall supply or cause to be supplied water to any proposed or existing development so that the total gross diversion as stated in the Nevada-California Interstate Compact (1969) is exceeded.

7.03.03.0 Storage and Distribution Requirements: No additional development requiring water shall be allowed in any area unless there exist adequate storage and distribution systems to deliver adequate quantity and quality of water for domestic consumption and fire protection. The Agency shall not accept applications for new developments without adequate proof from the appropriate fire protection agency. Proof of adequate water supply and distribution systems is addressed in Subset 3.06.02.2.

7.03.05.0 Reporting Requirements: The TRPA, water purveyors, and the states shall monitor the use of water within the Tahoe region and evaluate conformance with the California-Nevada Interstate Compact (1969) which addresses water diversions in the Basin. The water purveyors and the states shall observe the following reporting requirements:

7.03.05.1 Water Purveyors. All water purveyors shall report their total gross diversion for use for the previous water year (October through September) to the TRPA and the states by February 1 each year. The TRPA will make available to the purveyors the desired format of this report.

7.03.05.2 State Agencies. The California State Water Resources Control Board and the Nevada State Engineer shall report to the TRPA on the total gross diversion for use within the Tahoe region by June 1 of each year. The TRPA will make available to the state agencies the desired format of this report.

# TAHOE REGIONAL PLANNING AGENCY

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

2155 South Avenue

(916) 541-0246

MEMORANDUM

September 5, 1984

TO: Advisory Planning Commission  
FROM: The Staff  
SUBJECT: Chapter 8, Code of Ordinance

Attached are revisions to Chapter 8, Code of Ordinance for Air Quality and Transportation. Staff has also prepared issues papers for each of the air quality portions. These briefing documents list the technical assumptions for these control strategies and also address concerns raised at the August 8 APC meeting.

Your sub-committee on air quality and transportation have reviewed the draft ordinances and voted to approve and forward them to the full Commission. Staff requests that the APC review Chapter 8, recommend any changes and approve it for Governing Board Sub-committee consideration.

9/5/84

AGENDA ITEM V B.



CHAPTER 8

8.00.00.0 AIR QUALITY/TRANSPORTATION PROVISIONS

- 8.00.01.0 General
- 8.00.02.0 Documents

8.01.00.0 INSPECTION AND MAINTENANCE

- 8.01.01.0 General
- 8.01.02.0 Agency Responsibility

8.02.00.0 GAS HEATERS

- 8.02.01.0 Emission Limitations
- 8.02.02.0 Certification
- 8.02.03.0 Testing
- 8.02.04.0 South Coast Air Basin Certified Heaters
- 8.02.05.0 List of Approved Heaters
- 8.02.06.0 Enforcement
- 8.02.07.0 Exemptions
- 8.02.08.0 Extensions

8.03.00.0 WOOD HEATERS

- 8.03.01.0 Emission Limitations
- 8.03.02.0 Other Limitations
- 8.03.03.0 Labelling
- 8.03.04.0 Testing/Certification
- 8.03.05.0 Colorado and Oregon Certified Heaters
- 8.03.06.0 List of Approved Heaters
- 8.03.07.0 Enforcement
- 8.03.08.0 Modifications of Wood Usage

8.04.00.0 OPEN BURNING

- 8.04.01.0 Applicability
  - 8.04.01.1 Prescribed Burning
  - 8.04.01.2 Disposal
  - 8.04.01.3 Hazard Reduction
  - 8.04.01.4 Wood Wastes
- 8.04.02.0 Performance Standards
  - 8.04.02.1 Daytime Restrictions
  - 8.04.02.2 Seasonal Restrictions
- 8.04.03.0 Burn Plans of Public Agencies
- 8.04.04.0 Enforcement

8.05.00.0 STATIONARY SOURCE REVIEW

- 8.05.01.0 New or Modified Stationary Source Emission Standards
- 8.05.02.0 Environmental Impact Analysis
- 8.05.03.0 Exemptions
- 8.05.04.0 Enforcement Provisions

8.06.00.0 TRAFFIC MITIGATION PROGRAM

- 8.06.01.0 Capacity Planning Areas
- 8.06.02.0 Traffic Reports
  - 8.06.02.1 Contents
  - 8.06.02.2 Agency Review
- 8.06.03.0 Environmental Impact Statements
- 8.06.04.0 Mitigation Fees
  - 8.06.04.1 Fees
  - 8.06.04.2 Exemptions
  - 8.06.04.3 Debits and Credits
  - 8.06.04.4 Change in Use
  - ~~8.06.04.5 Change in Ownership~~
  - 8.06.04.5 TSM Credit
- 8.06.05.0 Mitigation Fund Management
  - 8.06.05.1 Administration
  - 8.06.05.2 Distribution
  - 8.06.05.3 Monitoring Set-Aside
  - 8.06.05.4 Administration Set-Aside

8.07.00.0 TRANSPORTATION SYSTEMS MANAGEMENT

- 8.07.01.0 TSM Measures for New Development
- 8.07.02.0 TSM Measures for Existing Uses
- 8.07.03.0 TSM Measures for Redevelopment

8.08.00.0 AVIATION FACILITIES

- 8.08.01.0 General
  - 8.08.01.1 Periodic Update
  - 8.08.01.2 Exemptions
  - 8.08.01.3 Facility Expansion

8.09.00.0 DIESEL VEHICLES

- 8.09.01.0 Enforcement of Applicable State and County Regulations
- 8.09.02.0 Alternative Fuels